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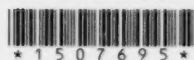
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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Lesotho

* The annex to the present report is circulated as received.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twenty-first session from 19 to 30 January 2015. The review of Lesotho was held at the 6th meeting on 21 January 2015. The delegation of Lesotho was headed by Haae Phoofolo. At its 10th meeting held on 23 January 2015, the Working Group adopted the report on Lesotho.
2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Lesotho: France, Ghana and Maldives.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Lesotho:
 - (a) A national report submitted/written presentation prepared in accordance with paragraph 15 (a) (A/HRC/WG.6/21/LSO/1);
 - (b) A compilation prepared by the Office of the High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/21/LSO/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/21/LSO/3).
4. A list of questions prepared in advance by Germany, Slovenia, Spain and the United Kingdom of Great Britain and Northern Ireland, was transmitted to Lesotho through the troika. These questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation expressed its appreciation on behalf of the Kingdom of Lesotho for the opportunity to present the national report. The preparation of the national report was participatory and inclusive, and was deliberated on in an open and free atmosphere.
6. In June 2014, His Majesty, King Letsie III, had prorogued Parliament in order to pave the way for the political parties to solve their differences. Since then, tensions had arisen between the coalition partners in the Government and on 30 August 2014 there was an attempted coup. In response to the crisis, the Southern African Development Community (SADC) held a Double Troika Summit of Heads of State and Government on 15 September 2014, which led to the Maseru Facilitation Declaration. Pursuant to the Declaration, Parliament was reconvened on 17 October 2014 and dissolved on 5 December 2014. Elections were set for 28 February 2015. Preparations for those elections by the Independent Electoral Commission had commenced.
7. The delegation recalled that, during the review in 2010, Lesotho had accepted 96 recommendations and rejected 22. A workplan was thereafter drawn up to ensure coherent implementation of the recommendations. The workplan was the product of a stakeholders' consensus and had served as a working tool for stakeholders.
8. Since the previous review, Lesotho had ratified the International Convention for the Protection of All Persons From Enforced Disappearance (ICPPED) on 6 December 2013. In 2011, the National Disability and Rehabilitation Policy had been adopted, following the ratification of the Convention on the Rights of Persons with Disabilities (CRPD) in 2008.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Protocol on Trafficking in Persons) had been incorporated into the national framework through the enactment of the Anti-Trafficking in Persons Act, 2011. A National Anti-Trafficking in Persons Strategic Framework and Action Plan 2014–2016 had been officially launched in July 2014. The Children's Protection and Welfare Act, enacted in 2011 incorporated both the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child into the national framework.

9. In 2011, Lesotho had presented its report on the implementation of the Convention on All Forms of Discrimination Against Women (CEDAW) to the CEDAW Committee. The report on the Convention on the Rights of the Child had been submitted to the relevant Committee. Draft reports on the implementation of the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT), were awaiting Cabinet approval. Once approved, the reports would be submitted to the respective treaty monitoring bodies. The draft report on the International Covenant on the Elimination of All Forms of Racial Discrimination was awaiting validation by stakeholders.

10. At the regional level, the report on the African Charter on the Rights and Welfare of the Child had been submitted, while the report on the African Charter on Human and People's Rights was awaiting stakeholders' validation before submission to Cabinet for approval. That was a clear indication that, despite resource constraints, Lesotho was making great effort to report under the various treaties.

11. Plans to set up a Human Rights Commission were under way. In 2011, the 6th Amendment to the Constitution, enshrining the establishment of the Human Rights Commission, had been passed by Parliament. A Human Rights Commission Bill was in place and had been awarded a certificate of approval from the Attorney General's Chambers. The Bill had also been considered by Cabinet and would be presented before the 9th Parliament for promulgation into law. The Government would continue to strive towards the operationalization of the Commission. Workshops had been held for the media, members of Parliament, youth, inmates and correctional service staff on the work of the Commission envisaged.

12. Workshops had been held for persons with disabilities, teachers, members of Parliament and the judiciary for the purposes of highlighting human rights issues. To mark International Human Rights Day, the Minister had delivered a statement on the theme of the year. Gatherings to discuss various thematic areas of human rights had also been held for the general public.

13. The African Commission on Human and Peoples' Rights had visited Lesotho on a promotional mission in 2012. The mission had comprised the Special Rapporteur on Freedom of Expression and Access to Information and the Special Rapporteur on Prisons and Places of Detention in Africa. Their recommendations were presently being implemented by government.

14. Poverty was rife, with more than half of the population living below the poverty line. That was mainly due to land degradation and climate change; particularly persistent drought, flooding and early frost which had caused low agricultural productivity in recent years. The worsening food deficit, as well as the increasing retrenchment of Basotho working abroad contributed to poverty.

15. To address the problem of agricultural decline, in the 2013–14 financial year, the Ministry of Agriculture had been allocated a 43 per cent increase in budget, which had enabled the subsidising of agricultural inputs such as seed, fertilizers, herbicides and insecticides. Poverty reduction programmes and policies had been designed, such as the

National Strategic Development Plan, which served as an implementation strategy for the National Vision 2020 for the following five years. The Plan was expected to reduce poverty and promote the achievement of sustainable development.

16. Lesotho was on track to achieving the Millennium Development Goals relating to primary education, gender equality and empowerment of women. Efforts would be redoubled in order to achieve the remaining Goals in the post-2015 period. Lesotho would mobilize more development partners and exert decisive leadership to attain the National Vision 2020 as the Goals bore a close relationship to the seven pillars of the National Vision 2020.

17. With regard to education, free learning materials were provided, qualified teachers were employed and new schools, accessible to persons with disabilities, were being constructed in remote and rural areas. Additional classrooms in existing schools had also been built. There had been a sharp increase in the number of literate women and the school enrolment and completion rates were higher for girls than boys.

18. HIV and AIDS had had a devastating impact on the population and health-care system. Various efforts had been undertaken, including awareness campaigns, testing and treatment, male circumcision and Prevention of Mother to Child Transmission (PMTCT), whereby all HIV-infected pregnant women enrolled for PMTCT services were eligible to receive lifelong antiretroviral therapy. There was also a current national HIV and AIDS Strategic Plan.

19. Infant and child mortality had risen in recent years as a result of pneumonia, malnutrition, measles, HIV and AIDS, and diarrhoea. In addition to the subsidized fees and free maternal and health services at health centres, other government interventions included the integrated Management of Childhood Illnesses Strategy, PMTCT programmes, and policies such as the National Health Sector Policy with its Strategic Plan and the Young Child Feeding Policy. Services for women and children had also improved. More than 600 village women had been trained and employed to visit pregnant women regularly and to encourage them to visit health centres.

20. There had been an increase in human trafficking, whereby women and children fell prey to fictitious promises of employment and other means of earning a living. The Government had taken steps to ensure the protection of those vulnerable groups through the enactment of the Anti-Trafficking in Persons Act, 2011, implemented through the National Anti-Trafficking in Persons Strategic Framework and Action Plan 2014–16. The Ministry of Home Affairs had spearheaded a multisectoral team on anti-trafficking and there were partnerships with civil society organizations and community networks to address human trafficking through intensive community awareness-raising campaigns.

21. Lesotho was dedicated to achieving the principles of gender equality, non-discrimination and promotion of women's rights, as illustrated by the appointment of women to high decision-making positions, such as that of the Ombudsman and the Chief Justice, and the adoption of a national action plan to end gender-based violence against women. Capacity-building training sessions on gender issues and gender-based violence had been held for the police, judges, magistrates, prosecutors, chiefs, and traditional and religious leaders.

22. The best interests of the child remained at the core of the Government's agenda. The Children's Protection and Welfare Act 2011 provided for the right to education, health and opinion for all children, and protected children against exploitation and child labour. It also made provision for a Children's Court, which was now operational. Within the Ministry of Social Development, there was a department of children's services tasked with the care, protection and development of children.

23. On the issue of corruption, the Directorate of Corruption and Economic Offences had been established and a National Anti-Corruption Strategy and Action Plan had been designed. There was also the Prevention of Corruption Bill 2013, which sought to strengthen the legislative and institutional framework and elevate the status of the Directorate to that of a Commission.

24. Old correctional facilities were being demolished and new ones built. A full-time HIV and AIDS coordinator had been employed and HIV testing, counselling and treatment were provided. Condoms were being provided and all correctional facilities had a nurse and dispensary to attend to minor illnesses. All inmates received free medical care in government hospitals.

25. In response to advance questions, the delegation stated that the Children's Protection and Welfare Act, 2011, had curbed child labour. Labour Inspectors could now inspect the formal sector to ascertain the existence of child labour and investigate crimes relating to the worst forms of child labour. However, there were no available statistics on reported labour cases in the Children's Court. A programme on the elimination of child labour involving various stakeholders was currently being developed.

26. Awareness-raising and educational campaigns on gender-based violence continued to be run in an effort to prevent and combat domestic violence. There was a support programme for victims, which included counselling. The 6th Amendment to the Constitution Act of 2011 enhanced the support available to victims. Alleged perpetrators were prosecuted. The Domestic Violence Bill had been referred back for further consultations and research and, with new drafting instructions as a result.

27. The reservation to article 2 of CEDAW was partially withdrawn in 2004, and the reservations remained only with regard to succession to the throne and to chieftainship. An elected government had to be considerate to the traditional values of the society that formed its electorate.

28. Lesotho retained the death penalty under Statutory Law as a form of deterrence. However, the death penalty had not been carried out since 1995. There were appropriate safeguards in place, such as the Pardons Committee and the prerogative of mercy by His Majesty the King. Nonetheless, the Government took note of the international trend towards abolition of the death penalty.

29. With regard to the administration of justice, reforms had been undertaken to mitigate the backlog of cases and to modernize the operations of the judiciary, including the introduction of a case management tool in the High Court and the establishment of a small claims procedure in the magistrate court.

30. The Government was continuing to renovate and refurbish correctional facilities throughout the 10 districts, notwithstanding budget limitations. The use of restorative justice and other alternative dispute resolution mechanisms had been scaled up and the courts also imposed non-custodial sentences, including community service sentences, to reduce the overcrowding in correctional facilities.

31. Lesotho was committed to preventing illicit trafficking of conventional arms. The International Convention on Certain Conventional Weapons had been ratified and the Arms Trade Treaty had been signed. The Internal Security (Arms and Ammunition) Act of 1966 prohibited the possession, sale or transfer of a firearm and/or ammunition without a licence. The Counter Crime Unit had been established in March 2009 and tasked with searching for unlicensed firearms and arresting alleged perpetrators.

32. It was the ambition of Lesotho to expeditiously adopt the best human rights practices. The pace at which that ambition would be fulfilled would be determined by the

availability of resources and capacity, as well society's receptiveness to those human rights practices.

33. Lesotho appreciated the technical and financial support as well as the good cooperation from several United Nations agencies and countries. The delegation also expressed appreciation for the cooperation in the preparation of the National Report and for the advance questions received, and looked forward to a constructive dialogue.

B. Interactive dialogue and responses by the State under review

34. During the interactive dialogue, 64 delegations made statements. Recommendations made during the dialogue can be found in section II of the present report.

35. The Democratic Republic of the Congo commended the progress by Lesotho and willingness to improve human rights, despite challenges. It noted the Strategic National Development Plan aimed at reducing poverty, free education, and measures to combat corruption and promote the rights of women, children, elderly and persons with disabilities. It welcomed international cooperation with Lesotho.

36. Denmark noted permission granted to allow bodies such as the International Committee of the Red Cross to visit and inspect correctional institutions and make recommendations, but noted that it had not taken steps towards ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (OP-CAT). It also referred to an initiative by the Committee against Torture which aimed to assist governments to overcome obstacles to ratification and implementation of the Convention, as an avenue to assist Lesotho.

37. Djibouti appreciated the efforts by Lesotho to comply with previous recommendations, despite challenges. It congratulated Lesotho on the adoption of the Law for the protection and well-being of children and persons with disabilities. It called on the international community to provide technical assistance to Lesotho.

38. Egypt noted the approach taken by Lesotho regarding the promotion of human rights in the country and significant steps taken to establish the Children's Court; to enact the Anti-Trafficking in Persons Act (2011), the Children's Protection and Welfare Act (2011), and the Education Act (2010), providing for free and compulsory primary education.

39. Ethiopia noted the achievements of Lesotho in the areas of peace and political stability, gender equality, dispensation of justice, registration of a high literacy rate, human resource development, and increased coverage of public service provision. It noted with appreciation the emphasis on alleviating poverty, ensuring food security and reducing unemployment.

40. France commended progress on stabilizing Lesotho after the political crisis of 2014 and expressed its wish that the general elections of 2015 would take place in line with democratic rules and human rights. It congratulated Lesotho on its ratification of ICPPED.

41. Gabon noted the ratification of a number of international human rights instruments, the adoption of a law on child welfare, and the adoption of measures for orphans, children and other vulnerable populations to guarantee their rights to education and health.

42. Germany welcomed the progress made in the fields of child protection, elimination of discrimination against women and political participation of women since the previous universal periodic review. It remained concerned about the continued high prevalence of violence against women and issues of discrimination and non-equality, as well as child sexual abuse, forced child/early marriage, and child labour.

43. Ghana commended the establishment of a national human rights commission and hoped that it would operate in full compliance with the Paris Principles. It also commended the Anti-Trafficking in Persons Act and the Children's Protection and Welfare Act, and shared concerns expressed by CEDAW about the high incidence of trafficking in women and girls.
44. Indonesia noted that Lesotho was on track to achieve the Millennium Development Goals on universal primary education and promoting gender equality and empowerment of women. It expressed its appreciation of the draft national policy on social development and hoped that it would be approved and implemented immediately. It further noted that corruption remained one of the prevalent factors hindering development.
45. Ireland congratulated Lesotho for the progress achieved towards gender equality, but remained concerned at the level of discrimination that women still encountered in the public and private spheres. It welcomed efforts to tackle the high rates of infant and maternal mortality and noted in particular that child mortality rates remained alarmingly high.
46. Italy commended the holding of a de facto moratorium on the death penalty, welcomed the enactment of the Legal Capacity of Married Persons Act of 2006, and commended the adoption of a number of policies to enhance the protection and promotion of the rights of the child.
47. Kuwait appreciated efforts to enhance the normative and institutional framework for the promotion and protection of human rights. It also valued the procedural steps towards the implementation of the accepted recommendations of the first review, aimed at additional achievements towards the protection of human rights and freedoms.
48. Latvia congratulated Lesotho for the various laws, action plans and campaigns to protect and enhance women's rights. It welcomed the adoption of the Children's Protection and Welfare Act, 2011, and the national strategic plan on vulnerable children. Latvia recognized efforts to achieve the Millennium Development Goal target for universal primary education, but remained concerned that the lack of birth registration resulted in the denial of essential services.
49. Libya noted the progress made in promoting and protecting human rights. It commended the ratification of a number of treaties, including CED, CRPD and the Protocol on Trafficking in Persons.
50. Mali noted the ratification of several international human rights instruments and the compliance of national laws with international commitments. It also welcomed action to better protect the rights of persons with disabilities and other vulnerable groups, and positive initiatives to achieve the Millennium Development Goals.
51. Mauritius commended the implementation of most of the recommendations and the development of various action plans since the previous review. It encouraged Lesotho to pursue the development of its National Human Rights Policy. It welcomed the initiatives to establish a Human Rights Commission and suggested that Lesotho consider availing itself of the experiences of Mauritius.
52. Mexico took note of the ratification of ICPPED, the adoption of the Action Plan against human trafficking and the implementation of the Law for the protection and well-being of children. While acknowledging progress and challenges, Mexico raised a concern about overdue reports to treaty bodies. Mexico made its best practices available.
53. Montenegro requested information on the activities undertaken to make the national human rights commission operational, the reasons for the lack of cooperation with treaty

bodies, and activities undertaken to incorporate CEDAW into the domestic legal system. It welcomed the ratification of ICPED.

54. Morocco welcomed the ratification of ICPED and the launch of the action plan against trafficking in persons. It commended Lesotho for its efforts in the area of education. Morocco encouraged consolidation of efforts in the areas of judicial reform and the fight against corruption.

55. Mozambique commended Lesotho for adopting the National Disability and Rehabilitation Policy in 2011. It noted that Lesotho was on track to achieve the goals on universal primary education and gender equality and women's empowerment. It welcomed the National Identity Cards Act of 2011, which gave women the right to apply for an identity card without their husband's authorization.

56. Namibia commended Lesotho on efforts made to implement the recommendations, from the first review, despite several challenges. It appreciated the passing of the Children's Protection and Welfare Act, 2011, which was aimed at the enhancement, promotion, protection and realization of the rights and welfare of children. Namibia commended the continued progress made to reduce poverty, particularly through social grants to the elderly and orphans and vulnerable children.

57. The Netherlands commended Lesotho for the enactment of the Children's Protection and Welfare Act, 2011 and appreciated the efforts taken to protect children in vulnerable circumstances. It remained concerned about domestic violence against women and violence committed by an intimate partner, as well as the absence of a specific prohibition of discrimination against women in domestic law.

58. New Zealand welcomed the efforts to ensure free and fair elections in February 2015 and was pleased to work with Lesotho and to share experiences in that regard. It commended progress regarding representation of women in the political sphere and welcomed the commitment to greater transparency and accountability through the fight against corruption.

59. The Niger commended progress since the first review on, inter alia, the creation of the National Human Rights Commission, the adoption of laws for the protection and well-being of children and to combat human trafficking, and the implementation of a National Action Plan to combat violence against women. It encouraged Lesotho to reach the objectives of its National Strategic Development Plan.

60. The Philippines lauded the progress made by Lesotho despite the resource and capacity constraints, most notably the enactment of the Anti-Trafficking in Persons Act and the Children's Protection and Welfare Act, 2011. It recognized the need for stronger partnerships to further strengthen the implementation of policies, particularly in the realization of socio-economic rights.

61. Portugal noted that Lesotho had one of the highest literacy rates in sub-Saharan Africa, and that the country was on track to achieving Millennium Development Goal 2 concerning primary education. Portugal was concerned about the disadvantaged situation of girls in accessing education, as well as reports on sexual violence and abuses committed in schools.

62. The Russian Federation took positive note of the implementation of international legal instruments. It commended Lesotho for the adoption of national legislation aimed at improving the human rights situation.

63. Rwanda congratulated Lesotho for initiatives aimed at addressing poverty reduction and ensuring economic development, commended the establishment of a National Strategic Development Plan, the improvement of the water supply and sanitation, and the

domestication of the Protocol on Trafficking in Persons, and urged the international community to provide technical assistance and capacity-building, in, amongst areas, the setting up of the National Human Rights Commission.

64. Senegal congratulated Lesotho for several initiatives to promote human rights, notably the adoption of the Law for the protection and well-being of children, and the design of a national policy on persons with disabilities and of an action plan against human trafficking. It called on the international community to provide technical assistance to Lesotho.

65. Sierra Leone commended the children's court, special measures on political participation of women, progress in providing free, gender-balanced education and ongoing efforts aimed at reducing the spread of HIV/AIDS, and noted that a sustainable natural disaster risk reduction strategy was crucial for economic development. It was also concerned about capacity gaps in the health sectors and encouraged international support for the development of a sound health system as well as legislation prohibiting discrimination against women.

66. Singapore noted the emphasis on raising socio-economic standards and took positive note of the National Strategic Development Plan. It further noted the efforts to fight HIV/AIDS, including through prevention, care and treatment; as well as to improve service delivery by rolling out services and resources in rural areas.

67. Slovenia welcomed the Children's Protection and Welfare Act and the increase in the age of criminal responsibility, improved water supply and sanitation, high levels of investment in education, measures taken to combat the spread of HIV, the National Action Plan to end Gender Based Violence, and measures to promote gender equality. It was concerned at discriminatory practices entrenched in customs, beliefs and traditions.

68. South Africa commended the signature and ratification of most of the international and regional human rights instruments. It reaffirmed its continued support of SADC efforts in the promotion of peace and security and encouraged the continuation of all efforts towards the promotion, protection and fulfilment of all human rights, including the right to development.

69. The delegation stated that there were plans to resuscitate the National AIDS Commission. There was a Government policy paper on the protection of children in rural areas, especially herd boys, which included ensuring that they received an education. Allegations of excessive use of force by the security forces, over the previous few months, were being investigated with the assistance of SADC. On completion of the investigation, the perpetrators would be accountable under the law.

70. The delegation recalled its earlier comments with regard to the establishment of a national human rights institution and emphasized that the relevant bill would be before the 9th Parliament for promulgation into law. On the issue of the death penalty, the delegation reiterated that the death penalty had not been carried out since 1995.

71. With regard to the reservation to article 2 of CEDAW, the delegation stated that Lesotho was moving step by step towards lifting the reservation. The delegation explained that Lesotho was bound by her traditions, which were what developed a nation. To take people away from those traditions was not easy and involved much dialogue, in which the Government was engaged, especially on the issue of chieftainship of women. Discussions were taking place with the objective of reviewing the Constitution and relevant law.

72. On the matter of corruption, active measures had been taken by the Government to strengthen the anti-corruption institution. High-profile figures were being brought to justice to show the seriousness of government in stopping corruption. The delegation stated that the Government was working hard to reduce infant and maternal mortality and provided

information on the village health workers programme in that regard. With regard to persons with disabilities, the delegation informed the Working Group of the policy that was in place to protect the rights of such persons, which would eventually be approved by an act of Parliament.

73. The delegation stated that no lesbian, gay, bisexual, transgender and intersex persons had been prosecuted and emphasized that the matter was sensitive in the culture and society in Lesotho. The Government was engaged in dialogue on the issue with a view to reaching consensus.

74. A disaster risk management programme was in place, under which there was a health and nutrition committee, comprising various stakeholders, including government ministries, development partners and non-governmental organizations. There were also district and village disaster management teams.

75. Steps had been taken to reduce poverty through employment. A job summit had been held in August 2014, with the aim of adopting a working programme on the development of agriculture, tourism and other means of creating employment. The Government was committed to creating about 10,000 jobs per year.

76. Spain congratulated Lesotho on progress made, with the legalization in 2012 of homosexual relations. It noted the need to depoliticize public services and the armed forces, and to create institutions to safeguard human rights.

77. The Sudan commended Lesotho for its adoption of legislation and policy on human rights, particularly the Anti-Trafficking in Persons Act and the Communication Act, as well as for the adoption of the National Strategic Development Plan 2013–2016, the National Anti-Trafficking in Persons Strategic Framework and Action Plan 2014–2016 and the National Action Plan on Women, Girls and HIV/AIDS.

78. Sweden noted the political stalemate in Parliament and the resolving of Parliament. It noted the attempted coup d'état, the involvement of SADC and the Maseru Facilitation Declaration, which stipulated that elections should take in February 2015. Sweden also noted the Maseru Security Accord.

79. Thailand congratulated Lesotho for ratifying ICPED and for its engagement with international organizations and stakeholders to protect human rights. It welcomed the transformation of the Department of Social Welfare into the Ministry of Social Development, with a focus on protecting vulnerable groups. It encouraged Lesotho to continue working towards achieving universal primary education. It expressed concern about the HIV epidemic and encouraged Lesotho to redouble its efforts to prevent the spread of HIV infections.

80. Timor Leste noted the positive steps taken to promote and protect human rights. It highlighted the enactment of the Anti-Trafficking in Persons Act, the Children's Protection and Welfare Act and the adoption of the Education Act, providing for free and compulsory primary education. It commended the implementation of the Child Grants Programme, leading to an increase in school enrolment rates and a decrease in child labour.

81. Togo commended initiatives by Lesotho to reduce poverty, ensure economic development and provide free access to health care. It encouraged Lesotho to put the National Human Rights Commission in place.

82. Trinidad and Tobago highlighted the advancement in human rights. It noted that Lesotho was plagued with domestic challenges, including poverty and food security, climate change and a high rate of HIV/AIDS. The geographical terrain of Lesotho was also a barrier to providing essential goods and services.

83. Tunisia noted the ratification of ICPPED and the drafting of a national human rights policy. It encouraged ratification of OP-CAT and the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education, as well as the incorporation of CEDAW provisions into national legislation with a view to withdrawing the reservation to article 2. Finally, it urged OHCHR and the international community to respond favourably to requests for technical assistance.

84. Turkey noted human rights progress since the first review, notably the ratification of international conventions, the establishment of a National Human Rights Commission, measures to combat human trafficking and the creation of a conducive climate for the 2015 elections. Despite progress concerning gender equality, gender-based violence was a concern.

85. The United Kingdom of Great Britain and Northern Ireland urged Lesotho to respect freedom of expression, association and peaceful assembly in the pre-election period and to enact legislation abolishing the death penalty. It recognized progress made on improving the status of women, but noted concerns about restrictions on women's rights under customary law.

86. The United States of America noted the commitment of Lesotho to dialogue on constitutional and parliamentary reform and looked forward to a free, fair and peaceful election. It remained concerned about human trafficking and child labour, as well as the high rate of HIV infections and urged Lesotho to ensure that treatment was provided in a non-discriminatory manner.

87. Uruguay valued the ICPPED ratification and the adoption of the Strategic National Framework to combat human trafficking and its Action Plan 2014–2016. It encouraged Lesotho to implement recommendations issued by the African Commission on Human Rights and Peoples' Rights in 2012.

88. The Bolivarian Republic of Venezuela was pleased that Lesotho had adopted, in 2011, the National Policy on Disabilities, created the National Human Rights Commission and put in place the Strategic National Development Plan.

89. Zimbabwe noted that Lesotho had prioritized the raising of human rights awareness for law enforcement agencies and the promulgation of the National Decentralization Policy, and that Lesotho was on track to achieving the Millennium Development Goals on universal primary education, gender equality and women's empowerment. Lesotho had ratified ICPPED and domesticated the Protocol on Trafficking in Persons.

90. Yemen noted the legislative measures taken in the context of the obligations of Lesotho under human rights treaties, such as the enactment of the Anti-Trafficking in Persons Act 2011. It also noted the adoption of a National Anti-Trafficking in Persons Strategic Framework and Action Plan 2014–2016, the Children's Protection and Welfare Act, 2011 and the National Strategic Development Plan.

91. Algeria noted the efforts by Lesotho to implement previous recommendations, despite financial constraints, namely the adoption in 2011 of laws for the protection and well-being of children and to combat human trafficking; and initiatives to reduce poverty and improve education and health care. It made recommendations.

92. Angola noted the ratification of CRPD and the adoption of a national policy in relation to the Convention as well as legislative measures to reinforce national mechanisms for the promotion and protection of human rights. It also congratulated Lesotho on the establishment of a National Human Rights Commission.

93. Argentina congratulated Lesotho on progress made since the previous review and commended, in particular, the ratification of ICPPED, the adoption of the Law for the

protection and well-being of children and of the Law on Education, and the National Program on Disability.

94. Australia expressed concern that poverty, HIV/AIDS and food insecurity continued to present significant obstacles to the enjoyment of human rights in Lesotho and welcomed the adoption of the National Strategic Development Plan. It welcomed the planned legislation to establish a human rights commission. Australia expressed concerns about the death penalty and discrimination on the basis of sexual orientation and gender identity.

95. Benin welcomed the progress made in the implementation of the recommendations. It commended Lesotho for ratifying ICPED. It also commended Lesotho for strengthening the judicial system, promoting gender equality, and for developments in the areas of health and education.

96. Botswana noted the enactment of laws on trafficking in persons and the protection of children, as well as the measures taken in relation to gender equality, poverty alleviation, and gender-based violence. It noted the efforts made to address the political and constitutional challenges. Children under the age of 15 years were engaged in domestic service, street vending and in agriculture. It also noted challenges in providing adequate health-care facilities and services.

97. Brazil was pleased at developments in Lesotho in the field of freedom of expression and the promotion of the rights of women, children and lesbian, gay, bisexual and transgender persons, as well as at the creation of the Ombudsman's Office. It noted however that there was still room for improvement.

98. Canada welcomed the commitment to promote and protect human rights and encouraged Lesotho to continue to follow up on legislative steps taken to establish a human rights commission in line with the Paris Principles, as that would be an important tool to protect and promote the human rights of all persons, including the rights of women and children.

99. The Central African Republic encouraged Lesotho to ratify CAT and to guarantee the physical integrity of its citizens. It noted that, despite the difficulties, Lesotho had ratified ICPED, had introduced policy promoting the rights of persons with disabilities, and had adopted a law on the protection of the rights of the child in conformity with international instruments.

100. Chile took note of efforts by Lesotho to protect human rights, strengthen its institutional structure and to enact legal frameworks, despite challenges.

101. China noted progress in promoting gender equality, the empowerment of women, combating the trafficking of women and children, and sexual violence. It noticed difficulties in agriculture, job creation and public health. It highlighted difficulties in the prevention and treatment of AIDS and called on the international community to give more assistance.

102. The Congo welcomed ratification of ICPED and the adoption of laws to combat trafficking in persons and to promote human rights. It encouraged Lesotho to redouble its efforts to overcome economic and social challenges and to strengthen cooperation with Human Rights Council mechanisms.

103. Costa Rica took note of measures to implement previous recommendations. It welcomed progress to protect human rights, strengthen the judicial system, combat human trafficking and promote the rights of persons with disabilities and children through the adoption of Law for the protection and well-being of children.

104. Cuba commended the interest of Lesotho in promoting inclusive economic growth and its commitment to free education through the Education Law of 2010. It took note of

the high rate of HIV/AIDS and the vulnerability of Lesotho to the global financial crisis. It called on the international community to provide technical assistance.

105. Kenya took note of the challenges in addressing gender inequality and the trafficking of persons. It welcomed efforts to domesticate core human rights instruments and noted the commitment to cooperate with the United Nations human rights mechanisms. Kenya encouraged the continuation of measures to address human trafficking.

106. The delegation stated that the Government had taken a stand in relation to the depoliticization of the public service. For instance, with the upcoming elections, all public officers who demonstrated an intention of becoming politicians were instructed to resign from the public service.

107. Primary education was free, an initiative also being extended to secondary schools. Bursaries were offered to students at the tertiary level. Herd boys were receiving an alternative primary education, with some links to formal education.

108. The delegation acknowledged that reports to some Committees were overdue and stated that that was largely due to the lack of capacity and resource constraints. Lesotho would do its best to comply with its reporting obligations. The law on defamation served as a deterrent and people were very rarely charged under it.

109. The Government had continued to implement the gender policy framework and empower women to contribute to development and poverty reduction. Several social protection plans for persons with disabilities, children who had been orphaned and vulnerable children had also been introduced, with the primary goal of preventing and reducing economic and social vulnerability. Child labour was predominant in the private sector. The Labour Code of 1992 was under review to provide labour inspectors with the authority to review child labour practices in the informal sector. An action plan to eliminate child labour was being developed.

110. With regard to environmental degradation, measures had been taken to prevent soil erosion through water deviation furrows and contour ploughing. The delegation stated that the Maseru Facilitation Declaration and the Maseru Security Accord would be fully implemented and that regular visits by the SADC facilitator would take place to ensure this.

111. The delegations stated that Lesotho would agree to issue a standing invitation to all the Human Rights Council mechanisms; birth registration was free of charge through public gatherings; primary health care services to women and girls were provided for a subsidized fee in all government hospitals and clinics; and clinics for the health care of women and girls were available in all 10 districts.

112. On behalf of Lesotho, the delegation extended its deepest appreciation and thanked all delegations for the questions, comments, recommendations and above all their constructive manner of engagement. Cooperation with the United Nations human rights mechanisms was an issue of high priority on the agenda of the Government. The UPR had been a worthwhile process. It allowed for reflection on priorities and needs and provided for the systematic creation of an enabling environment to enhance the realization of human rights. The delegation affirmed the commitment of the Government to uphold the human rights of all Basotho.

II. Conclusions and/or recommendations**

113. The following recommendations enjoy the support of Lesotho:

- 113.1. Take the necessary steps to accede or ratify the core international human rights instruments that they are not yet acceded to (Kuwait);
- 113.2. Include in the Constitution and other legislation provisions prohibiting discrimination against women in matters such as adoption, marriage, divorce, devolution of property, burial and death (Canada);
- 113.3. Incorporate in Lesotho's domestic legislation provisions of international legal instruments already ratified (Senegal);
- 113.4. Incorporate the Convention on the Elimination of all forms of Discrimination Against Women in its domestic law (Netherlands);
- 113.5. Incorporate the principle of gender equality in its domestic law and prohibit by law discrimination on the grounds of gender and domestic violence (Costa Rica);
- 113.6. Continue to align its national laws, specially the sub-constitutional legislation and customary legal practices, with its international human rights obligations, particularly in the field of gender equality and prevention of violence against women, where special programmes and policies would be highly welcomed (Brazil);
- 113.7. Prioritize the adoption and enactment of the Domestic Violence Bill and put in place further comprehensive measures to prevent and address gender-based violence, including the establishment of institutions for victim support (Germany);
- 113.8. Enact the Domestic Violence Bill into law, ensuring that future cases of domestic violence are dealt with decisively (United Kingdom of Great Britain and Northern Ireland);
- 113.9. Incorporate the principle of gender equality into all areas of law by repealing or amending all existing discriminatory legislation, in order to achieve full de jure equality for women in Lesotho, in compliance with the State's international treaty obligations (Latvia);
- 113.10. Incorporate the Convention on the Rights of Persons with Disabilities in the national legislation, and take the necessary measures for them to attain work opportunities (Libya);
- 113.11. Consider amending discriminatory provisions and administrative regulations relating to family, marriage, divorce and share of marital property, with the aim to eliminating discrimination against women (Namibia);
- 113.12. Bring its domestic legislation into line with the Rome Statute of the International Criminal Court (Costa Rica);
- 113.13. Take steps to establish an independent national human rights institution in line with the Paris Principles (Kenya);

** The conclusions and recommendations have not been edited.

- 113.14. Pursue the adoption process of the draft bill on the National Human Rights Commission of 2014 with a view to render it fully operational (Venezuela (Bolivarian Republic of));
- 113.15. Expedite enactment of planned legislation to establish a Human Rights Commission (Australia);
- 113.16. Conclude the project of creating an independent national human rights commission in line with the Paris Principles (Djibouti);
- 113.17. Finalize efforts to create a National Human Rights Commission in line with the Paris Principles (France);
- 113.18. Establish a national human rights commission (Gabon);
- 113.19. Take necessary measures to finalize the process of establishing the National Human Rights Commission (Mali);
- 113.20. Step up efforts aimed at promptly establishing an independent national human rights institution in line with the Paris Principles (Mexico);
- 113.21. The National Human Rights Institution be made fully operational and ensure that it functions in conformity with Paris Principles (Morocco);
- 113.22. Continue its efforts towards the operationalization of the National Human Rights Commission (Rwanda);
- 113.23. Establish a national human rights institution which is in conformity with the Paris Principles (Sierra Leone);
- 113.24. Establish a National Human Rights Commission (Spain);
- 113.25. Establish an independent national human rights institution in accordance with the Paris Principles (Timor Leste);
- 113.26. Continue the ongoing process to operationalize the National Human Rights Commission (Zimbabwe);
- 113.27. Implement and put in place the Human Rights Commission, in line with the Paris Principles (Chile);
- 113.28. Continue efforts on the operationalization of the National Human Rights Commission in accordance with the Paris Principles (South Africa);
- 113.29. Speed up the process of setting up a national human rights commission, with the support of the international community (Mozambique);
- 113.30. Put in place technical assistance programmes to strengthen the capacity of the Ombudsman (Morocco);
- 113.31. Takes all necessary measures to ensure the effective implementation of the national human rights policy and action plan (Kenya);
- 113.32. Continue its efforts to develop a national policy for human rights and to finalize the establishment of an independent national human rights institution in accordance with the Paris Principles (Yemen);
- 113.33. Continue its efforts to implement the adopted National Strategies aiming at providing further protection and promotion for human rights in the country (Sudan);
- 113.34. Continue the reforms to improve the policies and special programmes to strengthen and protect human rights (Kuwait);

- 113.35. Continue to provide and ensure improved and easily accessible service delivery, especially to marginalized sections of the population (Zimbabwe);
- 113.36. Continue to strengthen good governance at all levels to enhance service delivery (Singapore);
- 113.37. Redouble efforts towards the realization of, at least, part of the remaining Millennium Development Goals (Mozambique);
- 113.38. Redouble its efforts to combat practices of corruption in Lesotho (Indonesia);
- 113.39. Continue support for agencies such as the Directorate on Corruption and Economic Offences, and for the implementation of the National Anti-Corruption Strategy and Action Plan (New Zealand);
- 113.40. Combat more effectively corruption and adopt necessary legal measures (Russian Federation);
- 113.41. Continue to actively protect rights of women and children (Russian Federation);
- 113.42. Implement the Maseru Facilitation Declaration and the Maseru Security Accord, and thereby to reestablish the ground for democratic and civil governance in the country, after elections in February 2015 (Sweden);
- 113.43. Respect the provisions of the Maseru Facilitation Declaration and ensure an environment for free, fair and democratic elections (Turkey);
- 113.44. Continue to demonstrate its commitment to democratic rule, rule of law, and accountable governance by holding free, fair and peaceful elections in February 2015 (United States of America);
- 113.45. Pursue the strengthening of its cooperation with treaty bodies, step up its efforts in domesticating international human rights legal instruments by supporting its request to strengthen capacities in the areas which it has set out (Niger);
- 113.46. Seek technical assistance to meet its human rights obligations, including the submission of its overdue reports to the relevant treaty bodies (Sierra Leone);
- 113.47. Hand in its initial report to the Committee against Torture as soon as possible (Denmark);
- 113.48. Train and prepare public officials responsible for preparing State reports (Gabon);
- 113.49. Submit overdue initial and periodic reports to the various human rights treaty bodies, some of which have been overdue since 1994 (Ghana);
- 113.50. Consider issuing a standing invitation to the special procedures (Ghana);
- 113.51. Extend a standing invitation to all mandate holders (Latvia);
- 113.52. Accept the visit request by the Special Rapporteur on extreme poverty and human rights, in particular with a view to creating necessary institutional capacities to strengthen cooperation with the bodies of the international system for the human rights protection (Mexico);

- 113.53. Further strengthen the understanding of gender equality, in order to eliminate patriarchal attitudes and gender stereotypes (Slovenia);
- 113.54. Take necessary measures to actively combat violence against women and promote gender equality, in particular by reforming discriminatory legislation against women (France);
- 113.55. Take more effective measures to address cultural practices that foster discrimination against women (Ghana);
- 113.56. Enhance efforts to fight all forms of discrimination against women by ensuring effective implementation of existing legislation (Italy);
- 113.57. Step up the efforts to improve gender equality as well as to promote the rights of persons with disabilities, especially with regard to access to education and employment opportunities (Thailand);
- 113.58. Ensure that birth registration is effectively implemented and enforced by allocating sufficient human and financial resources to the National Identity and Civil Registry Department to promote the effectiveness of birth registration systems and processes (Latvia);
- 113.59. Take necessary measures aimed at verifying alleged human rights violations committed by members of the security services (Egypt);
- 113.60. Continue efforts to combat cases of torture by adopting specific legislation to criminalize torture, by developing training programs for the security forces and by ensuring that perpetrators of these crimes are prosecuted (France);
- 113.61. Implement progressively and effectively the legislations and policies on trafficking in persons (Ethiopia);
- 113.62. Provide legal remedies and assistance for victims of trafficking in persons (Sierra Leone);
- 113.63. Continue the fight against trafficking in human beings by implementing a comprehensive program to combat these practices and support the victims (France);
- 113.64. Enforce all laws that protect children from trafficking and exploitation, and their uses in illegal activities (Libya);
- 113.65. That Lesotho ensures the effective implementation of its human trafficking legislation (Trinidad and Tobago);
- 113.66. Ensure the prosecution and punishment of perpetrators of human trafficking as well as to ensure necessary assistance to victims (Turkey);
- 113.67. Undertake further steps to prevent gender-based violence and combat preventable maternal mortality and morbidity (New Zealand);
- 113.68. Continue efforts in implementation of the National Action Plan to end Gender Based Violence Against Women (South Africa);
- 113.69. Provide comprehensive protection for women exposed to violence (Turkey);
- 113.70. Prevent and combat domestic violence (Djibouti);
- 113.71. Enact the law on domestic violence in order to overcome the Penal Code's shortcomings in covering domestic violence cases (Turkey);

- 113.72. Intensify efforts to adopt laws and measures to address domestic violence more effectively (Philippines);
- 113.73. Investigate all cases of domestic violence, in collaboration with the civil society engaged in this field and to develop a comprehensive national strategy to facilitate equal access of girls and women to all levels and fields of education (Italy);
- 113.74. Continue the implementation of all obligations of the CRC, in particular to combat violence against children and forced labour (France);
- 113.75. Take action towards more pervasive measures to prevent violations of the rights of children through, inter alia, training professionals such as teachers, doctors and social workers to identify potential situations of abuse and report them to the authorities (Brazil);
- 113.76. Provide effective institutional mechanisms that duly protect girls against sexual abuses and effectively prevent early and forced marriage (Chile);
- 113.77. Take necessary measures for the improvement of the conditions of prisons and places of detention (Egypt);
- 113.78. Adopt measures to guarantee the respect of judicial guarantees and human rights in detention and police custody (Spain);
- 113.79. Put in place measures that guarantee the integrity and protection of prisoners and detainees, particularly vis-à-vis other prisoners, in the light of cases of rapes that have led to an increase of HIV positive prison population prevalence (Spain);
- 113.80. Increase oversight of labour recruitment agencies licensed in Lesotho, and accelerate legal reforms to combat the worst forms of child labour (United States of America);
- 113.81. Strengthen measures to protect children from the worst forms of labour, and ensure full implementation of the Children's Protection and Welfare Act (Botswana);
- 113.82. Continue strengthening its proper social policies in order to provide greater well-being and living standard to its people, for which international support and cooperation are fundamental (Venezuela (Bolivarian Republic of));
- 113.83. Strengthen measures to implement the law on the protection and well-being of children, particularly in rural areas, so as to prevent children having to work in the fields or in home in order to meet their needs and those of their families (Democratic Republic of the Congo);
- 113.84. Grant comprehensive support to the institute of family (Russian Federation);
- 113.85. Formulate a national disaster risk reduction programme to respond to crises relating to food security (Egypt);
- 113.86. Continue efforts to develop access to water and sanitation and to combat disparities between urban and rural areas (Togo);
- 113.87. Continue its efforts to reduce poverty, especially in fulfilling the rights of vulnerable groups (Indonesia);

- 113.88. Continue this work of alleviating of poverty and developing social economic sphere in the context of realization of national strategic plan in the area of development (Russian Federation);
- 113.89. Develop sustainable economic policies to reduce extreme poverty, food insecurity and unemployment (Senegal);
- 113.90. Strengthen measures to reduce poverty amongst vulnerable groups (Angola);
- 113.91. Continue to prioritize poverty reduction in protection and promotion of economic, social and cultural rights of its people; strengthen the construction of its health system, increase the coverage of service level of the medical care, and put further attention to combating AIDS (China);
- 113.92. Continue efforts to ensure free access to health care throughout the country (Algeria);
- 113.93. Ensure that the new initiatives on health centres reach all districts of the Kingdom (Ethiopia);
- 113.94. Enhance capacity of health centres and health service providers, with a view to improving access to quality health services of people, particularly in the rural areas (Philippines);
- 113.95. Plan to re-establish the National AIDS Commission so as to effectively support programmes and policies to combat HIV/AIDS (Democratic Republic of the Congo);
- 113.96. Develop more effective strategies to prevent and combat HIV/AIDS (Togo);
- 113.97. Step up awareness-raising campaigns on effective methods to combat and fight AIDS (Angola);
- 113.98. Further involve civil society actors in awareness-raising campaigns with respect to infectious diseases, in particular HIV (Senegal);
- 113.99. Suitably addresses the disproportionate impact of HIV/AIDS on women and girls by increasing its efforts to further reduce the number of women and girls affected by the HIV pandemic and to increase prevention of mother-to-child transmission of HIV and AIDS (Namibia);
- 113.100. Implement foreseen measures to reduce the prevalence of HIV/AIDS by at least 15 per cent (Cuba);
- 113.101. Take action at all levels to address the interlinked root causes of preventable mortality and morbidity of children under 5 and consider applying the "Technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age", A/HRC/27/31 (Ireland);
- 113.102. Continue to strengthen the provision of health-care services to its people, particularly women and children (Singapore);
- 113.103. That Lesotho seeks to increase access to affordable contraceptive methods and antiretroviral treatment and to promote education on sexual and reproductive health (Trinidad and Tobago);

- 113.104. Implement policies and plans aimed at improving maternal and child health, and ensure equitable access to health services to effectively address maternal and infant mortality (Botswana);
- 113.105. Take necessary measures to guarantee all children the right to education (Algeria);
- 113.106. Deploy further efforts to prevent child labour and to avoid the drop out from school of minors, with particular reference to the herd boys, ensuring a full implementation of the Education Act of 2010 (Italy);
- 113.107. Put in place awareness campaigns to sensitize local communities on the importance of education for both boys and girls alike (Latvia);
- 113.108. Include human rights education in the school curriculum and the necessary assistance and capacity-building be provided to Lesotho in this regard (Mauritius);
- 113.109. Ensure access to education of all children, including those in hard-to-reach areas, by increasing investments in education infrastructure and training of educators and pursuing all possible avenues for international cooperation (Philippines);
- 113.110. Take the appropriate measures to address the disadvantage situation of girls concerning access to education, as well as reports on sexual violence and abuses committed in schools (Portugal);
- 113.111. Allocate more resources to improve educational infrastructure as well as to take the necessary steps to ensure that members of the local communities, especially those living in the rural areas, realize the importance of education for both boys and girls (Thailand);
- 113.112. Ensure an inclusive education system, in order to allow all children to attend classes, in particular pregnant girls (Timor Leste);
- 113.113. That Lesotho takes steps to continue working on its national nutrition policy (Trinidad and Tobago);
- 113.114. Continue consolidating social protection programmes undertaken in favour of persons with disabilities (Venezuela (Bolivarian Republic of));
- 113.115. Develop and adopt legal and administrative measures aimed at making its education premises accessible and, on the other hand, at training teachers, with a view to guaranteeing full access to education to people with disabilities (Argentina);
- 113.116. Take necessary measures aimed at combating sexual exploitation of migrant women and children, especially young girls (Egypt);
- 113.117. Fully implement the National Strategic Development Plan aimed at reducing poverty and achieving sustainable development, including through the enactment of the draft National Policy on Social Development (South Africa);
- 113.118. Define and deploy the necessary resources, particularly human, legislative and financial resources, in order to effectively implement the Lesotho Government's ambitious policy in the field of economic and social rights, particularly with respect to health care and education (Senegal);
- 113.119. Seek financial assistance for mitigation and adaption activities to address the impact of climate change (Sierra Leone);

113.120. That a long-term sustainable policy approach be adopted to respond to crises such as climate change and food security (Trinidad and Tobago);

113.121. Continue undertaking measures to reduce environmental degradation as an essential requirement to reduce the impact of poverty (Cuba).

114. The following recommendations will be examined by Lesotho and responses will be provided in due time, but no later than the 29th session of the Human Rights Council, to be held from 15 June to 3 July 2015, and will be included in the outcome report adopted by the Human Rights Council at that session:

114.1. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Montenegro);

114.2. Intensify efforts to ratify the Optional Protocol to the Convention against Torture (Denmark);

114.3. Sign and ratify OP-CAT as recommended by Spain in 2010 (Spain);

114.4. Ratify OP-CAT (Togo);

114.5. Accede to OP-CAT (Chile);

114.6. Ratify OP-CAT and simultaneously strengthen investigations of complaints of this practice (Costa Rica);

114.7. Ratify the Optional Protocol to the Convention against Torture (United Kingdom of Great Britain and Northern Ireland);

114.8. Ratify the third Optional Protocol to the Convention on the Rights of the Child on a communications procedure, fully implement the Children's Protection and Welfare Act, and ensure effective law enforcement (Germany);

114.9. Ratify the Optional Protocol to the Convention against Torture; and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);

114.10. Sign and ratify OP-ICESCR, which was recommended by the Spanish delegation in the first cycle (Spain);

114.11. Ratify OP-ICESCR (Uruguay);

114.12. Accede to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity without reservations, and implement it in domestic legislation (Uruguay);

114.13. Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Benin);

114.14. Ratify the Optional Protocol to the Convention on the Rights of the Child (Benin);

114.15. Adopt legislative measures to check trafficking in women and girls (Ghana);

114.16. Take steps to decriminalize defamation and review its media-related laws including the Printing and Publishing Act of 1967 (Ghana);

114.17. Strengthen at the constitutional level and in a specific manner, the provisions that prohibit discrimination against women (Chile);

- 114.18. Review and update laws that could lead to self-censorship, such as the Seditious Proclamation and the Internal Security (General) Act, to ensure compliance with international human rights obligations (Canada);
- 114.19. Consider developing Human Rights Indicators as suggested by the OHCHR) as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal);
- 114.20. Take measures to ensure the universal registration of births, including through the simplification of necessary requirements and the removal of costs (Mexico);
- 114.21. Implement the July 2014 national anti-trafficking action plan and enact implementing regulations for the 2011 anti-trafficking act, including by making the changes necessary to ensure that trafficking cases are prosecuted in the magistrate courts, not just the high court (United States of America);
- 114.22. Endeavour to investigate all cases of gender violence, punish the perpetrators and compensate the victims (Ghana);
- 114.23. Offer comprehensive sexuality education and ensure access to sexual and reproductive health services, including legal and safe abortion (Slovenia);
- 114.24. Meet the target of allocating 15 per cent of Government spending to health, in accordance with the Abuja Declaration (Slovenia).
115. The following recommendations do not enjoy the support of Lesotho and will thus be noted:
- 115.1. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP 2) (Italy);
- 115.2. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Timor Leste);
- 115.3. Ratify ICCPR-OP 2, aiming at the abolition of the death penalty (Uruguay);
- 115.4. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, on abolishing the death penalty (Portugal);
- 115.5. Consider lifting the reservation to article 2 of the Convention on the Elimination of All Forms of Discrimination against Women (Rwanda);
- 115.6. Lift the reservation on article 2 of the United Nations Convention on the Elimination of All Forms of Discrimination against Women; review and repeal all sections of the Constitution and other remaining discriminatory provisions that allow discrimination based on gender; and include in the Constitution, and/or other appropriate legislation, prohibition of both direct and indirect discrimination on grounds of gender (Ireland);
- 115.7. Repeal legislation criminalizing male homosexuality, and introduce targeted policies to eradicate discrimination based on sexual orientation and gender identity (Slovenia);
- 115.8. Repeal all provisions of law criminalizing sexual activity between consenting adults (Australia);
- 115.9. Repeal legislation criminalizing consensual same-sex relations between adults (Canada);

- 115.10. Eliminate from national legislation the death penalty (Chile);
 - 115.11. Further promote and enforce the principle of non-discrimination, particularly by fully suspending its reservation to article 2 of the CEDAW Convention and ending discrimination of women in the fields of property and inheritance law (Germany);
 - 115.12. Ensure full gender equality in marriage and family relations, including by expressly prohibiting gender-based discrimination and repealing remaining discriminatory provisions (Slovenia);
 - 115.13. Adopt norms that guarantee LGBTI people the full enjoyment of their rights on an equal footing, which simultaneously safeguard their non-criminalization and stigmatization (Argentina);
 - 115.14. Enact measures to combat discrimination of LGBTI people and to ensure them equal access to public services such as health care and education (Netherlands);
 - 115.15. Make progress towards the protection of LGBTI people, by creating the conditions allowing them to access to basic services in the fields of health, work and religious activities, and in addition by eliminating definitely from the Criminal Code sodomy as a crime (Chile);
 - 115.16. Abolish the death penalty (Djibouti; France; Sweden);
 - 115.17. Consider abolition of the death penalty (Rwanda);
 - 115.18. Adopt necessary measures to formalize the establishment of a moratorium on the executions of the death penalty as well as the ratification of ICCPR-OP 2 (Spain);
 - 115.19. Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the ICCPR (Australia);
 - 115.20. Establish a moratorium on executions with a view to abolishing the death penalty for all crimes (Uruguay);
 - 115.21. Establish an official moratorium on executions with a view to abolishing the death penalty, commute all death sentences to terms of imprisonment and ensure rigorous compliance in all death penalty cases with international standards for trials (Germany);
 - 115.22. Introduce a moratorium on the use of death penalty and work towards its abolition, including through ratification of the Second Optional Protocol to the International Convention on Civil and Political Rights (New Zealand);
 - 115.23. Establish an immediate official moratorium on the use of the death penalty with a view to abolishing it and to adhering to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Montenegro);
 - 115.24. Consider taking all necessary steps to introduce a de jure moratorium on capital executions with a view to fully abolish the death penalty (Italy).
116. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex*[English only]***Composition of the delegation**

The delegation of Lesotho was headed by His Excellency Advocate Haae Phoofolo, Hon. Minister, Ministry of Law, and composed of the following members:

- Mr. Tebello Thanbane Principal Secretary, Ministry of Law;
 - Mrs. Mathoriso Monaheng Deputy Principal Secretary, Ministry of Foreign Affairs;
 - Ms. Polo Chabane-Moloi Chief Legal Officer, Ministry of Law;
 - Mr. Ntsime Jafeta Minister Counsellor, Permanent Mission of the Kingdom of Lesotho, Geneva;
 - Mrs. Malebona Takalimane Senior Legal Officer, Ministry of Justice;
 - Mrs. Nthabiseng Lelisa Legal Officer, Ministry of Law;
 - Mrs. Bokang Lethunya Legal Officer, Ministry of Law.
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Report of the Working Group on the Universal Periodic Review^{*}

Lesotho

Addendum

**Views on conclusions and/or recommendations, voluntary commitments
and replies presented by the State under review**

^{*} The present document was not edited before being sent to the United Nations translation services.

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Lesotho's position on deferred recommendations

Recommendations that enjoy the support of Lesotho

114.1, 114.2, 114.3, 114.4, 114.5, 114.6, 114.7, 114.9 – Ratify Optional Protocol to Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OP CAT)

1. The recommendation enjoys the support of the Government of Lesotho. Lesotho acknowledges the importance of inviting special mechanisms to correctional centers and police detention cells in order to ascertain whether or not torture and other cruel, inhuman or degrading treatment or punishment exists. Notwithstanding non ratification of the Protocol, the Government has accepted invitations of international bodies such as the International Committee of the Red Cross and the Special Rapporteur on Prisons and Places of Detention from the African Commission on Human and Peoples' Rights to visit and inspect correctional institutions and make recommendations thereof. The recommendations that ensued are continually implemented. Further, the Human Rights Commission which is to be operationalized will play a major role in promoting human rights for all including non use of force and torture in the country. The Government shall endeavor to ratify this Optional Protocol in the near future.

114.8, 114.14 – Ratify 3rd Optional Protocol to Convention on the Rights of Children (3rd OP CRC)

2. Lesotho will consider ratification of this Protocol after consultations with relevant stakeholders thus the recommendation enjoys the support of Government.

114.13 – Ratify Optional Protocol to Convention on the Rights of Persons with Disabilities (OP CRPD)

3. The recommendation is supported by the Government and as soon as internal consultations with relevant stakeholders have been completed, the Government shall endeavor to ratify the Optional Protocol.

114.15 – Adopt legislative measures to check trafficking in women and girls

4. The Anti-trafficking in Persons Act was enacted in 2011. The action plan to implement the law was launched in 2014 and relevant stakeholders continue to be trained on the law. Public awareness raising and educational campaigns on the law on anti-trafficking are being held led by the Ministry of Home Affairs in collaboration with the police and civil society organizations especially at places identified as hot spots like the border posts. The schools and churches are also visited with the same purpose of raising awareness and educating school children and the community especially women and girls as they easily fall prey to this crime.

5. Additionally, the Children's Protection and Welfare Act 2011 has a dedicated chapter on child trafficking as a way to protect children who are trafficked. The Act has been simplified and translated into the local vernacular for easier dissemination and accessibility. Further, a local film has been produced and shown on national television to assist in the awareness and educational campaigns. The recommendation enjoys the support of Lesotho.

**114.19 – Continue developing Human Rights Indicators as suggested by the OHCHR
As an instrument that allows for a more precise and coherent evaluation of human
rights policies**

6. The recommendation enjoys the support of the Government. The Government will continue to assess and monitor promotion and implementation of human rights. She will continue to evaluate policies such as the National Strategic Development Plan as well as other policy frameworks and national initiatives. Lesotho is in the process of developing a human rights policy that will serve as a guiding tool for a coherent and coordinated fulfillment of human rights obligations in the country. The process commenced in 2013. The Plan will touch on significant issues, such as the ratification of international treaties and their implementation, the submission of overdue state party reports, access to justice, human rights education, to mention but a few.

**114.20 – Take measures to ensure universal registration of births, including the
inclusion of necessary requirements and the removal of costs**

7. Registration of births and deaths is free of charge throughout country. To ensure universal access, the officers regularly hold public gatherings, visit schools, churches, social gatherings and at these places, registration takes place.

8. Training and assessment campaigns have been carried out in 6 districts to ascertain the effectiveness of the laws, the system of registration of births as well as the efficiency of the Department of National Identity Cards and Registrations. The stakeholders who were involved in the campaign include among others; District Administrators, Chiefs, Police, health care workers and the general public. Consequent to the Campaign, there is a report in place, and a strategic plan is yet to be formulated addressing the shortcomings revealed by the assessment. The recommendation therefore enjoys the support of Lesotho.

**114.21 – Implement the July 2014 National Anti-Trafficking Action Plan and enact
implementing Regulations for the 2011 Anti-Trafficking Act, including by making the
changes necessary to ensure that the cases are prosecuted in the Magistrate Courts,
not just the High Court**

9. The recommendation enjoys the support of the Government. The implementation of the July 2014 Action Plan is in progress while plans are afoot to enact the regulations to implement the anti-trafficking law. The Government, through relevant stakeholders, continues to hold awareness raising campaigns on trafficking to, amongst others, prosecutors, police and judicial officers. Further, campaigns were held during the Easter holidays at the border posts whereby members of the Multi-Sectoral Committee on Trafficking handed out pamphlets about human trafficking and its effects. The Committee also took advantage of radio slots to educate the public about the dangers of accepting employment from strangers; the result of which could lead to trafficking in various forms.

10. It is of importance to point out that according to the laws in Lesotho, the Magistrate Court possesses jurisdiction to hear cases of trafficking, save for those beyond its ceiling, which are committed to the High Court for sentencing.

**114.22 – Endeavour to investigate all cases of gender violence, punish the perpetrators
and compensate the victims**

11. All cases of violence including gender violence that are reported to the police are investigated and perpetrators brought to book.

12. Currently victims of gender violence are offered temporary shelter as a form of support while the law is taking its course. The Government is yet to establish the compensation fund as provided for by various pieces of legislation. The fund will cover all

victims of crime including the gender violence victims. The recommendation enjoys the support of the Government.

114.24 – Meet the target of allocation 15% of Government spending to health, in accordance with the Abuja Declaration

13. The Government acknowledges the need for setting aside 15% of the National budget, however, due to limited resources, the Government may not be able to devote the 15% of the national Budget at all times. It is worth mentioning that in the past three (3) years, Government has increased its budget allocation in the health sector. The Government shall endeavor to allocate such, when resources permit and reiterates its commitment to prioritizing health issues. The Government supports the recommendation.

Recommendations that do not enjoy the support of Lesotho

114.9, 114.10, 114.11 – Ratify Optional Protocol to International Covenant Economic, Social and Cultural Rights (OP ICESCR)

14. The recommendation does not enjoy the support of the Government of Lesotho. Presently, socio economic rights are enshrined under the Principles of State Policy in the Constitution. This means that full realization of these rights is progressive and depends on the availability of resources. Socio-economic rights cannot be enforced in the courts of law; hence it would be paradoxical to ratify the Optional Protocol giving jurisdiction to the Committee on ICESCR to adjudicate on cases of violations of socio-economic rights of citizens of Lesotho.

114.12 – Accession to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity

15. The recommendation does not enjoy the support of Lesotho. However, she will continue with consultations with relevant stakeholders on the issue.

114.16 – Take steps to decriminalize defamation and review its media related laws including the Printing and Publishing Act of 1967

16. The draft Media Policy is in place and it will soon be approved by Cabinet. The Policy will set the bar as far as media issues are concerned, consequently the old laws shall be reviewed in conformity with the Policy. Further, the Policy in essence disapproves defamation of character as the entire Basotho populace reacts most aggressively to defamation against any person's integrity especially those standing high in socio-economic and political leadership. The recommendation does not enjoy the support of Lesotho.

114.17 – Strengthen at the constitutional level and in a specific manner, the provisions that prohibit discrimination against women

17. Government has made strides in prohibiting discrimination against women, for example, it has enacted the Legal Capacity of Married Persons Act 2006 which rules out discrimination against women in marriage and the Sexual Offences Act 2003 which addresses areas under the common law offence of rape. The specific provision that is still not addressed relates to succession to the throne and chieftainship. An elected Government has to be considerate to the traditional values of the society that forms its electorate. In a democratic society, power flows from the people. Continuous advocacy and dissemination measures will need to be undertaken to ensure that society appreciates this move. The recommendation therefore does not enjoy the support of Lesotho.

114.18 – Review and update laws that could lead to self-censorship, such as the Sedition Proclamation and the Internal Security (General) Act, to ensure compliance with international human rights obligations

18. The Sedition Proclamation makes provision for the suppression of sedition and seditious publications and for punishment of such offences while the Internal Security (General) Act provides for public safety, public order, public morality, sabotage and subvention amongst others. These laws ensure that the rights of citizens are respected and protected and further that the whole nation is at peace and secure at all times in line with the international human rights obligations. The recommendation does not enjoy the support of the Government.

114.23 – Offer comprehensive sexuality education and ensure access to sexual and reproductive health services, including legal and safe abortion

19. Pursuant to most regional and international human rights instruments, including the Protocol on the Rights of Women in Africa and the Convention on the Elimination of All Forms of Discrimination Against Women, the Government continues to safeguard sexual and reproductive rights of women. Family planning services as well as orientation (education) on the use of preferred contraceptive method is offered in most Government health facilities. The Government works in conjunction with development partners like the UNFPA and civil society organizations such as the Lesotho Planned Parenthood Association (LPPA) and NGOs with women's rights mandate like Women and Law in Southern Africa (WILSA) and Federation of Women Lawyers (FIDA) among others; to accord sexual and reproductive health rights education to the general public. At pre and primary levels, it is offered within the life skills programme. Advocacy workshops, public gatherings and forums have been held in this regard. The most recent workshop on effects of forced sterilisation was held in April 2015.

20. Generally, abortion is not yet legal in Lesotho, however the Penal Code 2010 provides for circumstances under which legal and safe abortion may be performed. The recommendation does not enjoy the support of Lesotho.



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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Kenya

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twenty-first session from 19 to 30 January 2015. The review of Kenya was held at the 7th meeting, on 22 January 2015. The delegation of Kenya was headed by Githu Muigai, Attorney General of the Republic. At its 14th meeting, held on 27 January 2015, the Working Group adopted the report on Kenya.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Kenya: China, Germany and Namibia.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Kenya:

(a) A national report submitted/written presentation prepared in accordance with paragraph 15 (a) (A/HRC/WG.6/21/KEN/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/21/KEN/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/21/KEN/3).

4. A list of questions prepared in advance by Belgium, the Czech Republic, Germany, the Netherlands, Norway, Slovenia, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Kenya through the troika. These questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation of Kenya, headed by Githu Muigai, Attorney General of the Republic, affirmed the commitment of Kenya to the UPR mechanism. The second review was particularly important because it provided an opportunity for States to account for the promises made during the first review. Kenya underlined the implementation of a number of the recommendations made in the first UPR review and that others were in the process of being implemented through policy development initiatives and programmatic interventions.

6. Kenya stated that, since the previous UPR review, it had promulgated a new and robust Constitution. The country has been in a period of constitutional and political transition, implementing the various aspects of the new Constitution through direct constitutional actions, mandatory legislative interventions, requisite policy development and institutional reforms. Despite those achievements, a number of challenges, such as poverty, corruption, terrorism and disease, continued to threaten the progress made by the Government.

7. Kenya emphasized that the holding of peaceful elections in March 2013 should be underscored, given that the previous elections had been fraught with violence and had almost tipped Kenya into an abyss of chaos. The elections were adjudged by many

international observers to be free, fair and credible. The holding of peaceful election bore testimony to the many reforms undertaken by the Government.

8. The preparation of the national report followed an all-inclusive and participatory process that brought together government agencies, national human rights institutions, civil society organizations and OHCHR.

9. Kenya stated that, during the review in 2010, it had accepted 149 recommendations out of the 150 given. On the basis of the recommendations accepted in that review, wide ranging reforms had been undertaken to improve access to justice, the rule of law and access to economic and social rights, particularly for the poor and the vulnerable.

10. Of specific mention was the entrenchment in the Constitution of the Kenya National Commission on Human Rights, the National Gender and Equality Commission and the Commission on Administrative Justice. This entrenchment provided the Commissions with the necessary independence to monitor the observance of human rights in the country by both public and private bodies.

11. Turning to the criminal justice system, Kenya indicated that wide ranging reforms in the justice sector had seen the creation of a strong judiciary that was adequately empowered to uphold the supremacy of the Constitution, improve the administration of justice, enforce the respect for human rights and ensure that legislation and government actions were in line with constitutional provisions. The judiciary benefitted from a distinctly independent and considerably enhanced budget, selected its judges independently and had undertaken an elaborate process for the vetting of judicial officers.

12. In ensuring the transformation of the police service, Kenya reported that various constitutional, legislative and administrative measures had been taken. All police officers were undergoing a vetting process against a set of criteria relating to professionalism, integrity, performance record and psychological fitness. More than 17,000 police officers have been trained and sensitized on the respect for human rights. An independent police oversight authority was established in 2011.

13. With regard to recommendations concerning the humanizing of correctional facilities, Kenya noted the efforts made to reduce overcrowding in correctional facilities and create a more humane environment.

14. In order to protect and empower women and promote girls, Kenya stressed that measures had been taken, including the constitutional guarantee for women to contest elections and seek other appointive positions; the achievement of gender parity in primary school enrolment; and the enactment of legislation to increase women's access to land ownership and use through inheritance and personal acquisition. It also noted that the enactment of the Prohibition of Female Genital Mutilation Act 2011, aimed at preventing and punishing female genital mutilation, which had been practised by a few communities in the country, was a key milestone.

15. With regard to the recommendations on the prevention of torture, Kenya stated that the Constitution provided safeguards for the prevention of torture. It noted that the Prevention of Torture Bill 2014 had been drafted through a consultative process and was awaiting submission to the Cabinet for approval. Furthermore, it noted that the training curriculum for police officers incorporated practical training on the respect for human rights, including the prohibition of torture and ill-treatment, which were also strongly prohibited under the Police Service Act.

16. Kenya noted that it had received recommendations on the status of internally displaced persons and that it had taken significant measures to settle all persons who had been displaced after the 2007 elections and forest evictions.

17. In relation to the protection of the right of freedom to information, Kenya mentioned the development of the Access to Information and Data Protection Bills 2013, aimed at giving effect to article 35 of the Constitution of Kenya, which provides for citizens' right to gain access to information held by the Government and its agencies. The Bills have been published and are awaiting consultation and tabling in parliament.
18. Kenya reported that it continued to cooperate fully with human rights special procedures and mandate-holders from the United Nations and the African human rights system. It has hosted the Special Rapporteur on the human right to safe drinking water and sanitation and the Special Rapporteur on the human rights of internally displaced persons.
19. Kenya emphasized that it had cooperated and continued to cooperate fully with the International Criminal Court, in accordance with its obligations under the Rome Statute. Despite protocol and professional etiquette demanding that Kenya not disclose the actual nature of this cooperation, the Government of Kenya has provided all the required documentation, given access to court files and witness testimonies and granted the Court the requisite immunities and privileges to support its activities.
20. Kenya also emphasized that it had put in place measures to give effect to socioeconomic rights, despite huge budgetary challenges experienced by the country.
21. To improve access to water and sanitation, particularly in arid and semi-arid areas, the Maruba Dam was completed in the Machakos area, with water storage capacity and treatment capacity serving 100,000 people. In Nairobi, the Sasumua Dam has been rehabilitated substantially to reduce water shortage.
22. Concerning the food security situation, the Government, through the Ministry of Agriculture, Livestock and Fisheries, has various projects in place to address food security challenges.
23. To improve the quality of education and ease the financial burden on many households, the allocation of free tuition in secondary schools and free primary education has been increased by 33 per cent in the 2014–2015 fiscal budget. This was a major step towards ensuring that primary schooling and secondary education was truly free within the following three years. Efforts have also been made to ensure that no child misses out on school owing to poverty.
24. The Government of Kenya has committed itself to ensuring the right to adequate housing through a number of policies, as well as legislative and programmatic interventions. Other interventions include encouraging the private sector to invest in affordable quality housing through a variety of incentives, and the introduction of appropriate cost-effective building technology.
25. With regard to the recommendations made on the protection of indigenous peoples, Kenya stated that its Constitution provided several avenues for the protection and strengthening of indigenous peoples' personal and collective rights. Indigenous communities' issues were addressed within the purview of vulnerable and marginalized groups.
26. Kenya highlighted a few achievements of the Government since the previous review, including the creation of and seamless transition to a devolved system of government from the centralized system, with little disruption to service delivery.
27. With regard to gender equality, Kenya emphasized that more than 21 per cent of parliamentary representatives were female, the highest ever in the country's history. The Government of Kenya abolished all maternity charges in public facilities in June 2013, a measure that has helped to reduce maternal mortality rates.

28. Concerning terrorism, Kenya indicated that it had on several occasions become a victim of terror attacks, which have had a negative impact on the full realization of human rights and fundamental freedoms. Lives had been lost and property destroyed. Travel advisories issued against Kenya have dealt a blow to the tourism industry, which plays a very important role in the national economy. Guided by relevant United Nations resolutions, Kenya has embarked on establishing the institutional, policy and legal structures to safeguard the security of the nation from terrorism. The recent Security Laws Amendment Act 2014 had been perceived as likely to hinder the enjoyment of human rights and freedoms. This suggestion was unfounded. A review of the Act will reveal its similarities to legislation in comparable jurisdictions.

29. Kenya invited the international community and the members of the Working Group on the Universal Periodic Review to form partnerships with it, provide it with support towards the realization of human rights awareness campaigns and offer greater international support for the provision of services to the refugee population hosted in Kenya.

B. Interactive dialogue and responses by the State under review

30. During the interactive dialogue, 96 delegations made statements. The recommendations made during the dialogue can be found in section II of the present report.

31. Serbia encouraged Kenya to invest further efforts in preventive care so as to improve the health of the general population.

32. Sierra Leone commended Kenya for the progress made since its first review and on the democratic general elections of 2013.

33. Singapore took note that Kenya had made progress in achieving the goals of its Vision 2030 since the first review.

34. Slovakia expressed concern regarding attacks and threats against human rights defenders and media. It encouraged Kenya to ensure that schools are provided with sufficient funds.

35. Slovenia referred to its previous recommendation on ending female genital mutilation and called on Kenya to ensure the enforcement of the Prohibition of Female Genital Mutilation Act 2011.

36. South Africa encouraged Kenya to continue all efforts towards the promotion of human rights, including the right to development.

37. South Sudan commended Kenya for the holding of free and fair elections in 2013, and the empowerment of persons with disabilities.

38. Spain commended the introduction of the new Constitution in 2010 and the recognition in this Constitution of the right of access to water.

39. Sri Lanka commended Kenya on the implementation of the recommendation in its first UPR review to enshrine a bill of rights within the new Constitution.

40. The Sudan commended the holding of peaceful elections in 2013 and the legislative and policymaking developments in the field of human rights.

41. Sweden expressed concerns regarding media legislation, the implementation of the Kenyan Public Benefits Organization Act and the criminalization of consensual adult same-sex conduct.

42. Switzerland expressed concerns regarding violations of journalists' human rights, and Kenya's refusal to cooperate with the International Criminal Court, despite ratifying the Rome Statute.
43. Thailand welcomed the promulgation of the new Constitution containing a bill of rights that provides explicit protection to vulnerable and marginalized populations.
44. Timor-Leste noted positive steps, including the adoption of the Counter-Trafficking in Persons Act and developments relating to women and children's rights.
45. Togo encouraged Kenya to give priority to implementing the recommendations of the Truth, Justice and Reconciliation Commission.
46. Trinidad and Tobago noted efforts to improve the quality of life and strides to bolster food security and agriculture.
47. Tunisia encouraged Kenya to complete its human rights legal arsenal and welcomed the creation of the Independent Policing Oversight Authority and the witness protection programme.
48. Turkey commended the successful 2013 general elections. It noted that Kenya faced compound security challenges and reiterated its support in the fight against terrorism.
49. The United Arab Emirates commended progress made, in particular legal reforms and the modernization of the legal apparatus.
50. The United Kingdom of Great Britain and Northern Ireland stated that the reports of abuses by security forces demonstrated a need for greater accountability and civilian oversight.
51. The United States of America expressed concern about reports of excessive force by security forces in counter-terrorism efforts and urged Kenya to uphold constitutional rights.
52. Uruguay urged Kenya to adopt measures such as awareness-raising campaigns to address the difficulties faced by persons with albinism to gain access to basic services.
53. Uzbekistan commended Kenya on the adoption of the new Constitution, the establishment of the National Commission on Human Rights and judicial reforms.
54. The Bolivarian Republic of Venezuela highlighted measures undertaken in education and in particular those aimed to ensure free tuition in schools.
55. Yemen noted the adoption of laws, including in the area of combating human trafficking and prohibiting female genital mutilation.
56. Zimbabwe commended Kenya on organizing human rights awareness campaigns as well as human rights training for public officials.
57. Albania noted that the rates of maternal mortality and transmission of HIV/AIDS from mother to child remained high.
58. Algeria welcomed efforts made to promote the enjoyment of human rights, in particular economic, social and cultural rights, and to combat violence against women.
59. Angola commended Kenya on modernizing and restructuring the judiciary in order to ensure effective and transparent administration of the judiciary.
60. Argentina expressed concern about the lack of measures to implement the report of the Truth, Justice and Reconciliation Commission.
61. Armenia noted with appreciation the efforts to promote the right to education and gender equality.

62. Australia expressed concern about lack of justice and accountability in relation to the 2007–2008 post-election violence, as well as about intimidation and ill-treatment of civil society representatives.
63. Austria remained concerned that female genital mutilation persisted and that implementation of the relevant laws was inadequate.
64. Bangladesh stated that, despite existing challenges, Kenya had made progress in the areas of health care and promoting equality between men and women.
65. Belarus noted the active cooperation of Kenya with the United Nations treaty bodies and OHCHR, as well as the efforts to eliminate poverty.
66. Belgium inquired about the implementation of the Independent Policing Oversight Authority Act of 2011, and noted with appreciation the humanitarian efforts of Kenya.
67. Benin urged Kenya to reform police services and abolish the death penalty. It called upon the international community to support the efforts of Kenya with a view to achieving socioeconomic development and promoting human rights.
68. Botswana welcomed the adoption of the Constitution and laws regarding female genital mutilation, human trafficking and the judiciary.
69. Brunei Darussalam commended Kenya on measures undertaken to provide housing to all, including young people, women and persons with disabilities, and to address environmental issues.
70. Cabo Verde noted legislative reforms in the areas of justice and anti-corruption, as well as women's representation in the elected bodies.
71. Canada noted with concern reports of extrajudicial killings, torture, mass arbitrary detentions and extortion by the police.
72. The Central African Republic highlighted the enactment of the new Constitution, a law prohibiting female genital mutilation, a law against the trafficking of persons and the judicial reform.
73. Chile underlined the enactment of the new Constitution with a view to enhancing a constitutional, legal and institutional framework in order to strengthen human rights.
74. China commended Kenya for conducting the judicial reform; promoting good governance, transparency and efficiency in the judiciary; and addressing impunity.
75. Colombia commended the steps taken by Kenya to implement the recommendations from its first UPR review, as well as its transparency and collaboration with the human rights mechanisms.
76. Comoros commended the enactment of the 2010 Constitution and adoption of the mid-term development plan 2013–2017.
77. The Congo encouraged Kenya to continue its efforts to strengthen national security in order to reduce the number of terrorist acts that had an undeniable impact on its economic growth.
78. Costa Rica highlighted the robust legal framework as well as judicial reforms in order to have robust and independent mechanisms capable of monitoring the effective promotion and protection of human rights.
79. Cuba noted progress in reforms of the judicial system and police, the protection of women, assistance for internally displaced persons and the fight against corruption.

80. Responding to questions, Kenya indicated that, since the adoption of the Constitution in 2010, it had promulgated a piece of legislation that addressed the questions of how Kenya ratified treaties and processed them into domestication legislation.

81. Regarding human rights defenders, Kenya stated that it was committed to open, transparent and democratic constitutional system. Kenya welcomed the work of independent human rights defenders. It underlined the actions that had been taken by the Government in a few cases of interference in the work of human rights defenders. Kenya reported that none of them was being detained in the country.

82. Regarding the International Criminal Court, Kenya stressed that its relationship with the Court was very much misunderstood. It indicated that it had been among the first countries to negotiate, ratify and domesticate the Rome Statute. It said that it would therefore be untrue to suggest that Kenya had been a reluctant participant in the work of the Court. Besides, major critical voices had come from countries that were not themselves parties to the Court. Kenya had fully cooperated with the Court since an investigation into the situation in Kenya was opened six years ago. Kenya had an extensive range of agreements with the Court and had provided immunities and privileges for the officials of the Court to work in Kenya. A permanent investigator and other officials of the Court moved freely in the country. Kenya had supplied the Court with all of the information and material that it was its duty to under Kenya laws and according to its interpretation of its international obligations. Kenya stressed that a case concerning Kenya was ongoing before the Court. The witnesses in that case were testifying in locations provided by the Government through communication equipment in a manner that had been secured by the Government. Criticism that Kenya had impeded the work the Court was most regrettable and untrue.

83. Kenya reported that it had come through a long period of national dialogue on the new Constitution. Critical social issues had been put to the various forums in which the Constitution was negotiated. The issues included abortion, death penalty and sexual identity, and particularly the use of criminal law in such cases. The issues had been divisive and the requisite political and social consensus on them was a work-in-progress. In the meantime, Kenya had not carried out any execution since 1987. On the rights of lesbian, gay, bisexual or transgender persons, Kenya stated that no individual could confirm that criminal law had been applied to them on the basis of his/her sexual orientation. It also stated that the judiciary had intervened in progressive ways, such as directing the Government to recognize the right of those who wanted to change their sexual identity in governmental documents.

84. Concerning terrorism, the question of the counter-terrorism initiatives of Kenya arose in the context of the recent Security Laws Amendment Act 2014. Kenya reiterated that the amendments had been consistent with the Constitution. The Act was pending in the High Court, which had the final pronouncement.

85. As regards gender equality and reproductive health rights, Kenya indicated that it had made very good progress in terms of gender inclusion. For example, 17 per cent of the members of the boards of private companies were women, and the highest rate of female representation in the public sector was 40 per cent. In August 2015, the Supreme Court decided that Kenya should have a framework in place to ensure the constitutional quota of women in the National Assembly and the Senate.

86. The Persons with Disability Act provided for the establishment of the National Development Fund for Persons with Disability, which became fully operational in 2009–2010. In 2014, after a delay, the second Board of Trustees had been appointed and announced in the Official Gazette.

87. On the adoption of children, Kenya indicated that it had acceded to the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. It stated that it had developed guidelines on adoption, and that the National Adoption Committee handled the process on intercountry adoption. It also stated that street children were protected on an equal basis to other children under the care and protection measures established by the Children Act, 2001. The Street Family Rehabilitation Trust Fund had been established and street children were given protection, education, care and vocational training.

88. Kenya recognized that the judiciary was understaffed. Staff mapping and a skills exercise had recently been concluded with a view to addressing the staffing needs. It was, however, encouraging to note that the number of judiciary officers and magistrates had increased, as had the budget. The judiciary was committed to implementing the judiciary framework for the period 2012–2015.

89. Kenya stressed that its vibrant civil society organizations were continuously called upon to partner with the Government in the formulation of policies, legislation and programmatic processes in line with the Constitution. Civil society organizations had been involved in many processes, including in the preparation of the UPR report. Following a request by non-governmental organizations to review the proposed amendment to the Public Benefits Organization Act, the Government had set up a task force in December 2014 to explore options, secure a consensus and receive recommendations regarding the amendment.

90. Concerning poverty alleviation, the Government had reviewed the 2009 national policy on older persons and aging and the Persons with Disabilities Act to align them with the Constitution. The Government had enacted the Social Assistance Act 2013, which created an authority that was mandated with the provision of social assistance in the form of financial or social services.

91. The Government was committed to implementing the recommendations contained in the report of the Truth, Justice and Reconciliation Commission. In December 2013, the National Assembly debated and passed an amendment to the Truth, Justice and Reconciliation Commission Act to effectively allow the National Assembly to consider the report of the Commission and to provide for the immediate implementation of the recommendations contained therein. In accordance with the amendment, the Government had created an inter-agency committee to examine the recommendations, as well as the nature and scope of the implementation framework. Many of the recommendations were already being implemented.

92. On the situation of refugees, Kenya had largely pursued an open door policy by allowing a free flow of refugees into the country. That policy was characterized by the liberal admission of refugees. Despite challenges with respect to the high number of refugees and to terrorism-related incidents, Kenya was still committed to its obligations and the terms of the tripartite agreement regarding the safe and dignified voluntary repatriation of refugees to Somalia in line with international law.

93. On extrajudicial killings, torture and forced disappearance, Kenya indicated that the excessive use of power and the abuse of office by law enforcement agencies were considered criminal acts that were punishable by law. The Government had introduced police reforms, including the creation of the Independent Policing Oversight Authority, staffed by civilians.

94. The Czech Republic appreciated the information on the implementation of previous UPR recommendations.

95. The Democratic Republic of the Congo requested information on the recommendations of the Truth, Justice and Reconciliation Commission and the decentralization of the administration.
96. Denmark encouraged Kenya to take action against the incitement of hatred against lesbian, gay, bisexual, transgender or intersex persons and remove barriers for their access to health services.
97. Djibouti commended the enactment of the new Constitution that strove to strengthen and protect human rights.
98. Egypt noted the enactment of the new Constitution and establishment of the National Commission on Human Rights and the Commission on the Administration of Justice.
99. Estonia encouraged Kenya to continue efforts to become party to all the main international human rights instruments.
100. Ethiopia commended the projection of its Vision 2030 initiative to become a middle-income country and encouraged Kenya to further strengthen its efforts to tackle poverty.
101. Finland made recommendations on the fight against terrorism and for women's rights.
102. France commended the constitutional and legislative reforms undertaken since the last UPR review to increase the respect for human rights.
103. Gabon commended the submission of several reports to treaty bodies, the enactment of the new Constitution and the launch of a number of judicial reforms.
104. Germany expressed concerns about the increasing number of human rights violations, in particular against asylum seekers and refugees, and reports of unlawful killings by police.
105. Ghana commended the enactment of a new Constitution and the promotion of strong institutions with a view to strengthening human rights.
106. Greece expressed concern regarding delays in enacting new national policies on freedom of information and expression.
107. The Holy See noted steps taken to protect migrants, ensure greater access to education and towards the fulfilment of basic needs.
108. India welcomed various actions to safeguard women's empowerment, while noting challenges in combating female genital mutilation.
109. Indonesia noted various actions taken to address poverty, including credit facilities and the creation of the Constituency Development Fund.
110. Ireland urged Kenya to ensure that its security procedures were in accordance with international human rights principles and expressed concern at reports of intimidation of human rights defenders.
111. Israel recognized national security challenges given the upsurge in terrorist attacks and noted the measures taken to simultaneously protect citizens and respect human rights.
112. Japan welcomed the expansion of rights and the promotion of devolved governance under the new Constitution. It hoped that the resulting progress in rural development would advance human rights in Kenya.

113. Kuwait noted with interest the national report on the efforts made to implement the recommendations previously accepted, and the progress achieved in advancing national priorities.
114. Latvia expressed concerns about torture and extrajudicial killings and attacks on journalists, bloggers and media workers, as well as the lack of cooperation with International Criminal Court investigations.
115. Lesotho commended efforts resulting from the first review. It referenced national priorities and initiatives for the advancement of human rights.
116. Libya credited progress in the implementation of recommendations accepted during the first cycle and commended the goal towards achieving free education.
117. Liechtenstein noted the International Criminal Court case and urged that responses to terrorist threats comply with international obligations.
118. Lithuania commended the introduction of a moratorium on the death penalty and welcomed the enactment of the Prohibition of Female Genital Mutilation Act 2011.
119. Madagascar encouraged Kenya to continue its programmes on health, justice, education, employment and combating poverty in Kenya.
120. Malaysia referenced the implementation of previous recommendations on combating gender-based violence and trafficking in women and girls, and lauded the adoption of the National Policy and Action Plan on Human Rights.
121. Mali referenced economic and social achievements and efforts to implement previously accepted recommendations.
122. Mauritania commended achievements in human rights, including progress in the areas of justice, education and health, and the protection and empowerment of women in public life.
123. Mauritius commended Kenya's commitment to human rights and the inclusion of rights-based approaches in the Constitution.
124. Mexico welcomed the new Constitution and noted its economic, social and cultural rights provisions and protection of vulnerable groups.
125. Montenegro requested information on activities to eliminate child prostitution and trafficking, as well as on violence against street children and the lack of appropriate care for them.
126. Morocco commended judicial and legal aid reform and praised the proactive role of national institutions in promoting human rights.
127. Myanmar commended the adoption of legislative and policy measures that enabled better enjoyment of human rights and fundamental freedoms.
128. Namibia welcomed the formulation of policies that aim to enhance the enjoyment of rights and make the International Bill of Human Rights a reality for Kenyans.
129. The Netherlands expressed concerns about restrictive legislation on civil society and emphasized the need to ensure that counter-terrorism measures conform to human rights obligations.
130. Nicaragua welcomed the review of a large number of laws as a sign that the UPR was bearing fruit, and noted progress in gender equality.
131. The Niger commended the strengthening of the legal and institutional framework for human rights protection and a progressive bill of rights.

132. Norway acknowledged the important role of civil society in development and the commitment of Kenya to ensuring that extractive industries comply with human rights.
133. The Philippines noted with appreciation the expansion of human rights protection, and the progressive realisation of socioeconomic rights.
134. Poland acknowledged progress on legal and institutional frameworks for combating female genital mutilation.
135. Portugal commended cooperation with the special procedures of the Human Rights Council and noted the existing moratorium on the death penalty.
136. The Republic of Korea welcomed the new Constitution, which provides better protection and fulfilment of human rights as well as improvements in political and governance structures.
137. The Russian Federation commended judicial reform, the creation of the Judges and Magistrates Vetting Board and reform in the police and penitentiary system.
138. Rwanda commended progress on human rights since the first review of Kenya and appreciated its significant role in upholding the core values of the East Africa Community.
139. Senegal commended the significant progress of Kenya on human rights since its first review. It praised the "Vision 2030" initiative as important for promoting poverty reduction and economic development.
140. Brazil referred to the remaining challenges, including in the area of freedom of expression and association, and the rights of lesbian, gay, bisexual or transgender persons.
141. Kenya stressed that it was in the process of enacting the amendment to the Children Act to increase the age of criminal responsibility from 8 to 12 years. As regards post electoral violence, various efforts had been made. Some prosecutions had been completed and others were pending in courts. Kenya also highlighted efforts addressing the issue of internally displaced persons and the enactment of the Victim Protection Act 2014 in line with the recommendations of the report of the Truth, Justice and Reconciliation Commission. On the issue of lesbian, gay, bisexual or transgender persons, Kenya reported that a policy had been developed by the Ministry of Health specifically relating to them. Concerning indigenous peoples, measures had been taken to protect them and conflicts that had emerged had been settled within the law. Finally, Kenya thanked States and non-governmental organizations for the very positive contributions they had made to its review. It assured them of its commitment to both the UPR and the United Nations human rights mechanisms.

II. Conclusions and/or recommendations^{**}

142. **The recommendations formulated during the interactive dialogue and listed below have been examined by Kenya and enjoy the support of Kenya:**

- 142.1. **Consider ratifying all outstanding international instruments and continue to domesticate such instruments (Lesotho);**
- 142.2. **Pursue efforts to adopt international human rights instruments to which the country is not yet a party (Nicaragua);**

^{**} The conclusions and recommendations have not been edited.

- 142.3. Continue to review its laws and policies to bring them in conformity with the Constitution and to promote the rule of law, inclusiveness and an effective two-tier government (Singapore);
- 142.4. Review its Penal Code to align it with the Constitution (Sweden);
- 142.5. Consider the human rights elements with regard to the amendment of the security bill in the spirit of the new Constitution (Republic of Korea);
- 142.6. Ensure the full operationalization of the National Policy and Action Plan on Human Rights (South Africa);
- 142.7. Continue its efforts to establish an institutional and legislative framework for the provision of affordable legal aid and awareness services for all (Sudan);
- 142.8. Increase efforts to strengthen human rights education in the country (Uzbekistan);
- 142.9. Continue to strengthen national capacity for the effective implementation of the National Programme and Plan of Action in the area of human rights (Belarus);
- 142.10. Repeat and amplify this request to the international community to support Kenya in its activities where supplementary resources are required to achieve its goals (Comoros);
- 142.11. Take measures to allocate to the National Human Rights Commission the necessary human and financial resources to fulfil its mandate (Costa Rica);
- 142.12. Improve the implementation of the laws that protect the rights of women, girls and children (Costa Rica);
- 142.13. Continue to implement the National Policy and National Plan of Human Rights (Cuba);
- 142.14. Finalize the process of adoption of the national policy and plan of action for human rights and pursue relentlessly its programme "Vision 2030" aimed at reducing the number of persons living in poverty (Democratic Republic of the Congo);
- 142.15. Adopt the human rights action plan elaborated recently (Djibouti);
- 142.16. Further strengthen the monitoring and evaluation efforts on women's empowerment and child protection (Ethiopia);
- 142.17. Ensure that human rights and fundamental freedoms enshrined in its Constitution are protected in the fight against terrorism and the national security plan and actions; pay particular attention to safeguarding the rights and safety of minorities and marginalized groups, as well as human rights defenders, refugees and stateless persons; address root causes of insecurity and radicalization and point out the need for a comprehensive counter-radicalization strategy (Finland);
- 142.18. Continue to respect, protect, promote and fulfil all the rights and fundamental freedoms as stipulated in the bill of rights (Ghana);
- 142.19. Ensure the full and continued implementation of the various legislations put in place to safeguard the human rights and fundamental freedoms of all persons (Ghana);

- 142.20. Speed up the implementation of human rights legislations into concrete policies (Indonesia);
- 142.21. Continue its efforts to enhance human rights (Kuwait);
- 142.22. Ensure an effective implementation of its National Policy and Action Plan on Human Rights in order to further promote and protect human rights of its population (Malaysia);
- 142.23. Expedite the operationalization of the National Policy and Action Plan on Human Rights for more concrete action in this regard (Mauritius);
- 142.24. Establish technical assistance programmes to train civil servants in a pragmatic human rights focused approach (Morocco);
- 142.25. Speed up finalization and adoption of the National Policy and Action Plan on Human Rights, which would provide a concrete national framework for the promotion and protection of human rights in Kenya (Netherlands);
- 142.26. Continue its efforts towards national reconciliation and strengthen the National Human Rights Commission in conformity with the Paris Principles (Niger);
- 142.27. Develop a national action plan for the implementation of the Guiding Principles on Business and Human Rights (Norway);
- 142.28. Allocate adequate resources to implement affirmative action policies for the protection and advancement of rights of women and girls (Philippines);
- 142.29. Implement Security Council resolution 1325 (2000) and related resolutions on women, peace and security (Estonia);
- 142.30. Adopt a national action plan on Security Council resolution 1325 (2000) on women, peace and security (Portugal);
- 142.31. Develop human rights indicators, as suggested by the Office of the United Nations High Commissioner for Human Rights (Portugal);
- 142.32. Continue implementation of national programmes in the sphere of education and health care (Russian Federation);
- 142.33. Provide comprehensive support to the institution of the family (Russian Federation);
- 142.34. Submit overdue reports to the relevant treaty bodies (Sierra Leone);
- 142.35. Extend an open invitation to the special procedures (Turkey);
- 142.36. Continue to cooperate with the United Nations human rights mechanisms within the framework of implementation of ratified international instruments (Uzbekistan);
- 142.37. Extend a standing invitation to all Human Rights Council mandate holders (Latvia);
- 142.38. Effectively cooperate with the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (Lithuania);
- 142.39. Extend a standing invitation to all special procedures (Portugal);
- 142.40. Develop targeted public campaigns to address gender stereotypes and discriminatory practices (Slovenia);

- 142.41. Adopt a comprehensive anti-discrimination law affording protection to all individuals, irrespective of their sexual orientation or gender identity (Sweden);
- 142.42. Continue efforts aimed at the elimination of harmful practices and stereotypes that discriminate against women (Egypt);
- 142.43. Guarantee gender equality and women's rights, including sexual and reproductive health rights (Estonia);
- 142.44. Eliminate stereotypes and harmful practices against women (including female genital mutilation, wife inheritance, and forced and early marriage) (Estonia);
- 142.45. Continue its efforts towards ensuring gender equality in the field of education, health and employment (India);
- 142.46. Continue to actively implement all these adopted measures, to safeguard women empowerment and promote gender equality (Israel);
- 142.47. Prosecute the perpetrators of trafficking and sexual exploitation of women and children (Sierra Leone);
- 142.48. Ensure the strict enforcement of the laws prohibiting early marriage (Sierra Leone);
- 142.49. Set up special units in the justice and health systems to deal with gender-based violence and discrimination (Spain);
- 142.50. End early marriages and the trafficking of minors (Spain);
- 142.51. Take all possible efforts to strengthen protection for women and children against discrimination and violence (Sri Lanka);
- 142.52. Take all measures to guarantee that the Prohibition of Female Genital Mutilation Act 2011 is fully implemented (Timor-Leste);
- 142.53. Ensure that harmful practices and stereotypes that discriminate against women are eliminated (Timor-Leste);
- 142.54. Continue efforts to combat all forms of violence against women, in particular female genital mutilation (Togo);
- 142.55. Consider increasing efforts to address the sexual exploitation of women and girls (Trinidad and Tobago);
- 142.56. Intensify awareness-raising campaigns about albinism to combat prejudice, stigmatization, discrimination and violence against persons with albinism (Togo);
- 142.57. Follow through on the Government's commitment to investigate the killing of activist Hassan Guyo, and thoroughly investigate all extrajudicial killings in Kenya, with a view of ensuring accountability (United States of America);
- 142.58. Establish a moratorium on executions, with a view to abolishing the death penalty for all crimes (Uruguay);
- 142.59. Implement legal and institutional measures to eliminate the discrimination and the harmful practices and stereotypes against women, particularly the harmful practices in connection with reproductive health, and further increase Government funding for women (Albania);

- 142.60. Take further efforts against the trafficking of children and eliminate child labour by enforcing compulsory education (Albania);
- 142.61. Raise the public awareness on the abolition of the death penalty and continue the efforts towards abolishing the death penalty (Albania);
- 142.62. Strengthen the implementation of measures in order to achieve the prohibition of female genital mutilation (Angola);
- 142.63. Continue to make efforts to abolish the death penalty (Angola);
- 142.64. Promptly and impartially investigate all allegations of torture and ill-treatment and strictly hold perpetrators accountable (Austria);
- 142.65. Strengthen measures to eradicate female genital mutilation and child marriage (Austria);
- 142.66. Continue implementing decisive measures to prevent and eliminate cases of sexual exploitation of women and children (Belarus);
- 142.67. Fully implement the Prohibition of Female Genital Mutilation Act 2011 (Canada);
- 142.68. Step up efforts to combat all forms of sexual violence against women (Chile);
- 142.69. Boost measures intended to achieve the elimination of all forms of ill-treatment of girls and women; in particular, strengthen efforts focusing on those communities still engaged in female genital mutilation (Colombia);
- 142.70. Put in place a national policy for protection and assistance for street children and persons with albinism (Djibouti);
- 142.71. Seek to effectively combat child labour by means of, inter alia, enforcing compulsory education, as stipulated in national policies (Egypt);
- 142.72. Continue fighting harmful traditional practices, including female genital mutilation (Ethiopia);
- 142.73. Strengthen the measures to combat violence against women and draw up proper indicators to evaluate progress (France);
- 142.74. Continue to ensure the full implementation of legislation on the eradication of the harmful practice of female genital mutilation (Ghana);
- 142.75. Redouble efforts to eliminate extra-judicial killings and acts of violence and torture, and to educate military and police personnel on human rights principles (Holy See);
- 142.76. Introduce an efficient mechanism for monitoring the implementation of the Prohibition of Female Genital Mutilation Act 2011 (Lithuania);
- 142.77. Combat the trafficking and sexual exploitation of women and girls by means of adoption of a comprehensive national action plan in this domain (Lithuania);
- 142.78. Pursue eradicating child labour in Kenya by enforcing compulsory education (Lithuania);
- 142.79. Ensure that legislation to counter torture goes beyond just police forces and instead covers all public bodies, and that it includes mechanisms for giving reparations to victims (Mexico);

- 142.80. Take measures to develop an integral plan of action to combat trafficking and the sexual exploitation of women and girls, including through medical and psychological assistance to victims of these crimes (Mexico);
- 142.81. Step up efforts to combat child labour with a view to its progressive eradication in a given time frame (Mexico);
- 142.82. Adopt the bill on persons deprived of liberty (Morocco);
- 142.83. Continue addressing the issues of sexual exploitation of women and girls (Myanmar);
- 142.84. Take the necessary measures to eliminate the vulnerability of girls and women to sexual exploitation (Namibia);
- 142.85. Implement fully the Prohibition of Female Genital Mutilation Act 2011 and the review of the policy on female genital mutilation (Poland);
- 142.86. Make further efforts to properly handle the case of discrimination and violence against women, including the prosecution of alleged perpetrators (Republic of Korea);
- 142.87. Continue its efforts towards the abolition of the death penalty (Rwanda);
- 142.88. Criminalize torture, in line with international human rights obligations, and fight extrajudicial executions, through, inter alia, capacity-building for State agents (Brazil);
- 142.89. Adopt measures to guarantee effective access to protection and redress for women victims of violence, and strengthen the National Commission on Gender Equality in order to fulfil its mandate (Brazil);
- 142.90. Conform the juvenile justice system to be in accordance with international standards so as to prevent children from being legally accountable in courts (Serbia);
- 142.91. Continue efforts in support of the Truth, Justice and Reconciliation Commission (South Africa);
- 142.92. Fully cooperate with the International Criminal Court and protect witnesses (Switzerland);
- 142.93. Continue to cooperate with the Prosecutor of the International Criminal Court (Timor-Leste);
- 142.94. Continue its efforts on enhanced enforcement, institutional capacity-building and awareness-raising in the fight against corruption (Turkey);
- 142.95. Continue its 2012–2016 project on judicial transformation, by inserting changes at the level of the judicial authority by setting up appropriate strategies to enhance access and the expeditious delivery of justice (United Arab Emirates);
- 142.96. Work alongside parliament to ensure that the report of the Truth, Justice and Reconciliation Commission and its recommendations are implemented, in particular on access to justice for victims of post-election violence (United Kingdom of Great Britain and Northern Ireland);
- 142.97. Continue the judicial reforms, in particular the implementation of the 2012–2016 framework of transformation of the judicial system (Algeria);

- 142.98. Continue to ensure respected principles of social equality and guarantee access to justice for vulnerable groups (Angola);
- 142.99. Ensure greater accountability and transparency of police and security forces, including by publishing the results of investigations by the Independent Policing Oversight Authority (Australia);
- 142.100. End impunity for the perpetrators of violence related to the 2007 elections (Austria);
- 142.101. Implement the recommendations made by the Truth, Justice and Reconciliation Commission, including investigation and punishment of those responsible for serious human rights violations and reparation for victims of such violations (Argentina);
- 142.102. In line with the conclusions of the report produced by the Truth, Justice and Reconciliation Commission in 2013, take all necessary steps to put in place a programme to give reparations to all victims of the 2007–2008 post-electoral violence (Belgium);
- 142.103. Continue to strengthen internal accountability mechanisms for all security agencies, including by investigating and prosecuting members of security agencies responsible for human rights violations (Canada);
- 142.104. Broadly disseminate the report of the Truth, Justice and Reconciliation Commission, and establish a legislative and administrative framework for the effective implementation of its recommendations (Chile);
- 142.105. Raise the age of criminal responsibility so that it complies with international standards as set out by the Convention on the Rights of the Child (Czech Republic);
- 142.106. Ensure full respect for human rights by law enforcement agencies and ensure that violations are subjected to judicial prosecutions (France);
- 142.107. Fight against impunity of perpetrators of violence after the 2007 elections and ensure the follow up to the recommendations of the Truth, Justice and Reconciliation Commission (France);
- 142.108. Move to implement the recommendations towards national reconciliation proposed by the Truth, Justice, and Reconciliation Commission (Japan);
- 142.109. Investigate and bring to justice alleged perpetrators of all cases of torture and use of excessive force by security forces (Latvia);
- 142.110. Fully cooperate with the Office of the Prosecutor of the International Criminal Court in line with the obligations of Kenya under the Rome Statute (Latvia);
- 142.111. Continue to strengthen all its anti-corruption institutions (Lesotho);
- 142.112. Continue to cooperate with the International Criminal Court, in particular by taking all necessary measures to ensure the safety and security of witnesses and victims (Liechtenstein);
- 142.113. Take further measures at the national level to prevent impunity of the perpetrators of the post-election violence (Liechtenstein);
- 142.114. Raise the age of criminal responsibility in line with international standards (Lithuania);

- 142.115. Take the requisite measures to safeguard the independence of the judiciary, thereby strengthening this branch of Government (Namibia);
- 142.116. Duly consider the recommendations contained in the report of the Truth, Justice and Reconciliation Commission (Namibia);
- 142.117. Continue its active engagement with its international and regional partners towards surmounting technical and financial constraints in implementing the recommendations of the Truth, Justice and Reconciliation Commission, especially those that pertain to human rights (Philippines);
- 142.118. Continue judicial reform, including through the implementation of framework programme for judicial reform 2012–2016, as well as the creation of the Judges and Magistrates Vetting Board, and by reforming the police and penitentiary system (Russian Federation);
- 142.119. Adopt a national programme of action on the fight against corruption (Russian Federation);
- 142.120. Continue reform of the judiciary and the penitentiary system (Senegal);
- 142.121. Review its national laws and policies in order to ensure that surveillance of digital communications is consistent with its international human rights obligations and is conducted on the basis of a legal framework which is public⁶, accessible, clear, precise and non-discriminatory (Liechtenstein);
- 142.122. Institute further administrative measures to secure the equitable representation and participation of women in governance (Serbia);
- 142.123. Ensure that attacks against human rights defenders are properly investigated and their perpetrators are prosecuted (Slovakia);
- 142.124. Review the Kenya Information and Communication (Amendment) Act and the Media Council Act in order to safeguard that the principles of the Kenyan Constitution are guaranteed and upheld (Sweden);
- 142.125. Implement fully the 2013 Public Benefits Organizations Act, and safeguard rights and space for civil society, in line with the Kenyan Constitution (Sweden);
- 142.126. Take all the necessary measures to bring to an end attacks on journalists and ensure that the Information and Communication Act is in line with the human rights obligations of Kenya, in particular press freedom (Switzerland);
- 142.127. Review all new legislation to ensure consistency with International Human Rights Law and the Constitution, consulting broadly to build a national consensus and protect the role of an active civil society (United Kingdom of Great Britain and Northern Ireland);
- 142.128. Implement the 2013 Public Benefits Organizations Act, and ensure that any amendments to the Act are undertaken in consultation with civil society (United States of America);
- 142.129. Guarantee freedom of expression, press, associations and peaceful assembly of journalists, activists and participants in demonstrations (Uruguay);
- 142.130. Continue efforts to increase the participation of women in elected assemblies (Algeria);

- 142.131. Ensure full respect for freedom of expression and the press (Australia);
- 142.132. Take measures to address all allegations of abuse or intimidation against human rights defenders by the security forces, and integrate human rights education into police training programmes (Botswana);
- 142.133. Repeal or amend any laws that may constrain or limit a vibrant civil society, in line with international human rights obligations and the Constitution of Kenya (Canada);
- 142.134. Strengthen measures to ensure gender equality in law and in practice, in particular by applying positive measures for the participation of women in public life and the private sector (Colombia);
- 142.135. Respect the provisions of the Constitution on human rights in its amendments to the Public Benefit Organizations Act and amendments to media laws (Denmark);
- 142.136. Ensure that non-governmental organizations and human rights defenders can freely conduct their activities (France);
- 142.137. Create and maintain, in law and in practice, a safe and enabling environment in which human rights defenders and civil society can operate free from hindrance and insecurity, in accordance with Human Rights Council resolutions 22/6 and 27/31 (Ireland);
- 142.138. Ensure, in both legislation and its implementation, freedom of expression and freedom of the press as guaranteed in its Constitution (Japan);
- 142.139. Continue efforts to achieve as rapidly as possible the threshold of 30 per cent women in Parliament, as recommended by the Kenyan Constitution (Mauritania);
- 142.140. Ensure that laws enacted to regulate non-governmental organizations will not undermine their independence or unduly restrict their activities in the defence of human rights (Netherlands);
- 142.141. Pursue efforts to fully recognize women rights, their empowerment and participation in decision-making (Nicaragua);
- 142.142. Ensure strong public statements recognizing the legitimate and important role of human rights defenders and that all alleged attacks against human rights defenders are promptly and thoroughly investigated and that perpetrators are held accountable (Norway);
- 142.143. Fully implement the Public Benefit Organizations Act as soon as possible (Norway);
- 142.144. Increase representation of women in decision-making bodies (Senegal);
- 142.145. Allocate more resources to social protection, including cash transfers to the most vulnerable groups in the society (South Africa);
- 142.146. Continue its efforts to alleviate poverty reduction (South Sudan);
- 142.147. Approve and implement the Water Bill as a matter of urgency, particularly for rural and suburban communities (Spain);
- 142.148. Continue its efforts in implementing national policy frameworks to eradicate poverty, unemployment and ensure equality (Sri Lanka);

- 142.149. Take all necessary measures to provide individuals that are under threat of being forcibly evicted with full protection against forced eviction in line with international obligations and commitments (Switzerland);
- 142.150. Continue to strengthen social protection programmes developed on behalf of its people, especially the population most in need (Venezuela (Bolivarian Republic of));
- 142.151. Continue to strengthen its successful educational policies in order to provide the greatest welfare and quality of life to its people (Venezuela (Bolivarian Republic of));
- 142.152. Continue its efforts to adopt a development policy to reduce poverty in order to protect and promote human rights (Yemen);
- 142.153. Accelerate efforts to empower those living below the poverty line through alleviation schemes (Zimbabwe);
- 142.154. Implement specific standards and regulations ensuring affordable water, sanitation and food for the most vulnerable groups and the barriers and challenges to poverty alleviation are properly addressed (Albania);
- 142.155. Continue its national efforts, with the support and assistance of the international community, for the promotion and protection of human rights, particularly in the realization of economic, social and cultural rights of the people of Kenya (Bangladesh);
- 142.156. Strengthen its efforts to eradicate poverty and hunger in the country (Bangladesh);
- 142.157. Continue the initiatives to promote and protect its people's right to adequate housing (Brunei Darussalam);
- 142.158. Continue to promote poverty alleviation and enhance poverty reduction of women and children and people with disabilities (China);
- 142.159. Allocate more resources to social protection (Cuba);
- 142.160. Continue efforts to ensure effective respect for the right to property by facilitating registration of property deeds (France);
- 142.161. Improve social policies to combat social inequalities and poverty, in particular youth unemployment (Holy See);
- 142.162. Continue the implementation of poverty eradication programmes including by allocating sufficient national budget for those programmes that impact directly on the lives of the people of Kenya (Indonesia);
- 142.163. Continue the measures for poverty reduction (Myanmar);
- 142.164. Further promote economic empowerment programmes and job creation to prevent the radicalization of young people (Myanmar);
- 142.165. Take measures towards the adherence to the World Health Organization standards on health service delivery (Serbia);
- 142.166. Continue its efforts to implement the adopted strategies, in particular the National Reproductive Health Strategy 2009–2015 (Sudan);
- 142.167. Intensify its efforts to improve health infrastructure as well as the quality and delivery of health services, including access to reproductive health information and contraceptives for women in marginalized areas (Thailand);

- 142.168. Consider continuing efforts to secure and retain adequate medical personnel in hardship and marginalized areas (Trinidad and Tobago);
- 142.169. Promote health and sanitary practices for the safety of mothers and their children, and uphold continually the inherent right to life (Holy See);
- 142.170. Continue to prioritize resources to equip its young people with the necessary education and skills to thrive in the global economy (Singapore);
- 142.171. Consider taking measures to increase the access of low-income children to education (Trinidad and Tobago);
- 142.172. Consider taking steps to increase opportunities to access higher education (Trinidad and Tobago);
- 142.173. Diligently work towards achieving its noble target to ensure free primary and secondary education schooling (Zimbabwe);
- 142.174. Further increase initiatives for the promotion of the right to education, especially for vulnerable children (Armenia);
- 142.175. Continue efforts aimed at enhancing the realization of the right to education and improving its quality (Egypt);
- 142.176. Strengthen effectively the protection of the rights of indigenous peoples, including to their ancestors' lands (Cabo Verde);
- 142.177. Take measures to protect and promote the rights of all ethnic minorities, including their participation in political representation entities, in public sphere and in economy (Colombia);
- 142.178. Take measures to provide for the representation of ethnic minorities in the government organs, organs and committees established in the new constitutions, and elected bodies, such as parliament (Costa Rica);
- 142.179. Continue implementing the legislation on the protection of the rights of indigenous peoples and their lands, as well as the anti-discrimination laws, especially with regard to religion and physical conditions such as albinism (Holy See);
- 142.180. Continue to uphold the rights of indigenous peoples and minorities, including vulnerable groups (Senegal);
- 142.181. Maintain its important humanitarian effort in cooperation with the international community and particularly the Office of the United Nations High Commissioner for Refugees in full respect of international refugee law (Belgium);
- 142.182. That no refugees should be forcibly returned to Somalia when conditions for their safe reestablishment are not present (Belgium);
- 142.183. Abide by the principle of non-refoulement and take steps to ensure that refugees/asylum seekers are not returned (Republic of Korea);
- 142.184. Ensure that all counter-terrorism measures carried out fully comply with the international law obligations of Kenya (Austria);
- 142.185. Enact legislation on counter-terrorism and ensure its full implementation (Botswana);

142.186. Ensure that all counter-terrorism measures undertaken fully comply with the Constitution, the rule of law and international human rights obligations (Canada);

142.187. Ensure that all steps taken to combat terrorism fully respect the Constitution and the rule of law (Chile);

142.188. Consider redoubling its efforts in the fight against terrorism (Lesotho);

142.189. Properly investigate extrajudicial killings and bring to justice alleged perpetrators, to ensure that all police and counter-terrorism activities are carried out in compliance with the country's international obligations (Lithuania);

142.190. Ensure that national security is pursued in a broad-based and inclusive manner and in full compliance with the Constitution and international human rights obligations (Norway);

142.191. Continue strengthening counter terrorism measures (Rwanda);

142.192. Ensure that all security and counter-terrorism operations strictly comply with human rights standards, the rule of law, as well as with the Constitution of Kenya by, for example, enacting the Prevention of Torture Bill (Germany).

143. The recommendations below did not enjoy the support of Kenya and would thus be noted:

143.1. Ratify the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families (Sierra Leone);

143.2. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Sierra Leone);

143.3. Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Sierra Leone);

143.4. Accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone);

143.5. Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and sign and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Slovakia);

143.6. Accede to the Agreement on the Privileges and Immunities of the International Criminal Court and implement it fully at the national level (Slovakia);

143.7. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Timor-Leste);

143.8. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Togo);

143.9. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance without reservations and incorporate it into domestic law (Uruguay);

- 143.10. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay);
- 143.11. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Uruguay);
- 143.12. Ratify the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);
- 143.13. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and sign the International Convention for the Protection of All Persons from Enforced Disappearance (Cabo Verde);
- 143.14. Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);
- 143.15. Sign and ratify the Optional Protocol to the International Convention on the Rights of Persons with Disabilities (Chile);
- 143.16. Ratify Convention No. 169 of the International Labour Organization (Chile);
- 143.17. Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);
- 143.18. Accede to the Optional Protocol to the International Covenant on Civil and Political Rights; the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Estonia);
- 143.19. Accede to the Agreement on the Privileges and Immunities of the International Criminal Court (Estonia);
- 143.20. Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Germany);
- 143.21. Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; sign and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure; adopt respective amendments to the Children's Act of 2001; and fully implement the National Plan of Action on Children 2013–2017 (Germany);
- 143.22. Ratify the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, in the light of the ongoing review of Kenya's refugee law (Ghana);
- 143.23. Accede to all human rights instruments to which it is not yet a party, specifically the Optional Protocol to the Convention Against Torture; the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; and the International Convention for the Protection of All Persons from Enforced Disappearance (Madagascar);
- 143.24. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Mali);

- 143.25. Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Montenegro);
- 143.26. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);
- 143.27. Accede to the Optional Protocol to the Convention of the Rights of the Child on the sale of children, child prostitution and child pornography (Poland);
- 143.28. Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Portugal);
- 143.29. Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Portugal);
- 143.30. Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);
- 143.31. Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Portugal);
- 143.32. Consider expediting the ratifications of the core human rights instruments, including the Optional Protocol to the Convention against Torture and the Optional Protocol to the International Covenant on Civil and Political Rights (Republic of Korea);
- 143.33. Step up its efforts to ratify international human rights instruments that it is not yet a party to, particularly the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Philippines);
- 143.34. Allocate more resources to improve the capacity of the various constitutional commissions and oversight offices tasked with the promotion and protection of human rights in order to strengthen the implementation of their mandates (Thailand);
- 143.35. Strengthen the efforts to respect and protect women's rights and gender equality. This includes an effective implementation of an inter-sectorial policy and action plan on reproductive and sexual health and rights and prevention of violence against women (Finland);
- 143.36. Repeal legal provisions that foresee penalties against lesbian, gay, bisexual or transgender persons, in order to respect the principle of non-discrimination (France);
- 143.37. Ensure that the Security Laws Amendment Act is in line with human rights, limiting pretrial detention and not subjecting demonstrations to the approval of the Council of Ministers (Spain);
- 143.38. Formalize its moratorium on the death penalty with a view to its full abolition (Australia);
- 143.39. Abolish the death penalty (France);
- 143.40. Complete the process of abolition of the death penalty (Gabon);
- 143.41. Take concrete steps to abolish the death penalty (Ireland);

- 143.42. Accelerate progress towards abolishing the death penalty (Lithuania);
- 143.43. Abolish capital punishment and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Portugal);
- 143.44. Abolish the death penalty (Poland);
- 143.45. Implement the reconciliation put forth by the Independent Policing Oversight Authority's 2014 reports on the "Usalama Watch" security operation and on the Mpeketoni attacks (United States of America);
- 143.46. Decriminalize sexual relations between consenting adults of the same sex (Slovenia);
- 143.47. Decriminalize consenting relationships between adults of the same sex and adopt measures against violence and hate speech against lesbian, gay, bisexual, transgender or intersex persons and associations (Chile);
- 143.48. Decriminalize consensual same-sex conduct between adults (Denmark);
- 143.49. Decriminalize sexual relation between consenting adults of the same sex (Poland);
- 143.50. Amend provisions under the recently adopted security law to ensure that Kenya's international human rights obligations are respected, in particular with regard to the right to freedom of expression (Austria);
- 143.51. Operationalize the Public Benefits Organizations Act of 2013 as a law facilitating an independent and unhindered work of civil society, and refrain from enacting restrictive requirements with stifling effect on the country's non-governmental organizations, their functioning and funding (Czech Republic);
- 143.52. Review the compliance of the Kenya Information Communication (Amendment) Act of 2013 with international standards on freedom of expression, create an enabling environment for journalists and bloggers and decriminalize media offences and defamation (Czech Republic);
- 143.53. Ensure that laws regulating non-governmental organizations are in conformity with the rights to freedom of expression and association by repealing restrictions on the access of such organizations to foreign funding (Germany);
- 143.54. Proceed to the swift enactment of the draft laws on the freedom of information, as mentioned in paragraph 41 of its National Report, and to the urgent overall review of the penal treatment of freedom of expression offences, especially with regard to the protection of journalists (Greece);
- 143.55. Enact without delay the 2013 Access to Information Bill and Data Protection Bill (Latvia);
- 143.56. Abolish criminal sanctions for media offences (Latvia);
- 143.57. Decriminalize defamation to ensure that journalists are able to practise in a free and safe environment; investigate all attacks on journalists (Lithuania);

143.58. Meet the stated commitment under the Maputo Declaration of allocating at least 10 per cent of the State budget to agriculture development (Slovenia);

143.59. Increase the health budget allocation to the recommended minimum of 15 per cent of gross domestic product, in line with commitments under the Abuja Declaration, and expedite the process of implementing universal health-care coverage (Slovenia);

143.60. Ensure that women have access to legal and safe abortions, especially in cases of pregnancies resulting from rape or incest (Slovenia);

143.61. Adopt legal and administrative measures to ensure freedom of movement and other basic rights of refugees; in particular, apply appropriate exemption categories for persons with specific protection needs in order to allow their continued stay in urban centres and avoid forced relocation, avoiding family separations among refugees and asylum seekers (Argentina).

144. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

[English only]

Composition of the delegation

The delegation of Kenya was headed by H.E. Prof. Githu Muigai, Attorney General of the Republic and composed of the following members:

- H.E. Dr. John O. Kakonge, Ambassador/Permanent Representative, Permanent Mission of Kenya to the United Nations Office in Geneva;
- Mrs. Maryann Njau-Kimani, OGW, Senior Deputy Solicitor General (Justice), Office of the Attorney General and Department of Justice;
- Mrs. Emily Achieng Chweya, Deputy Chief Legal Officer, Office of the Attorney General and Department of Justice;
- Mrs. Winfred Osimbo LLCHUMA, Chairperson, the National Gender and Equality Commission;
- Mrs. Ann AMADI, Chief Registrar, the Judiciary;
- Mr. Michael Jonyo Wiso, Senior Legal Officer, the Directorate of Criminal Investigations;
- Ms. Ciatiria Zipporah Mboroki, Police Spokesperson, Kenya Police Service;
- Mrs. Rodah Adema Amulele Ogoma, Assistant Director of Public Prosecutions, Office of the Director of Public Prosecutions;
- Ms. Josephine Sinyo, Deputy Chief State Counsel, Kenya Law Reform Commission;
- Mr. Antony Mwicigi, Principal Magistrate, the Judiciary;
- Mr. Duncan David Okello, Chief of Staff, the Judiciary;
- Mr. James Kihwaga, Minister Counselor, Permanent Mission of Kenya to the United Nations Office in Geneva;
- Ms. Beatrice W. Mwaura, Foreign Service Officer, Ministry of Foreign Affairs and International Trade.



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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Armenia

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twenty-first session from 19 to 30 January 2015. The review of Armenia was held at the 8th meeting on 22 January 2015. The delegation of Armenia was headed by Ashot Hovakimian, Deputy Minister for Foreign Affairs. At its 14th meeting, held on 27 January 2015, the Working Group adopted the report on Armenia.

2. On 13 January 2015, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Armenia: El Salvador, Indonesia and Nigeria.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Armenia:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/21/ARM/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/21/ARM/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/21/ARM/3 and A/HRC/WG.6/21/ARM/3/Corr.1).

4. A list of questions prepared in advance by Azerbaijan, Belgium, the Czech Republic, Germany, the Netherlands, Norway, Slovenia, Spain, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Armenia through the troika. The questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the delegation affirmed the support of Armenia for the UPR process and underlined the importance of sharing best practices. He thanked all the Governments that had submitted written questions, which his delegation would address during the review.

6. The national report of Armenia outlined the key areas of reform related to human rights and the main challenges and obstacles in their implementation. The recommendations from the first cycle had received the Government's close attention. Legislative and practical measures had been adopted to implement them. Armenia had submitted a mid-term report on their implementation and was among the countries that had accepted the highest number of recommendations in the first cycle. It appreciated and stressed the interest of civil society in the process and believed that a stronger human rights system could result only from increased synergies between the State and civil society. Civil society development had commenced from the first days of independence in Armenia and it had been particularly active in the past decade. Many organizations were contributing in specialist fields and carrying out studies.

7. He described the main achievements of Armenia since the first UPR, commencing with the 2012–2016 Strategic Programme for Legal and Judicial Reforms. Its wide-ranging activities related to judicial, penitentiary and criminal legislation; the decriminalization of

some acts and reducing sentences for others; the introduction of a probation system; and reducing trial lengths.

8. Having highlighted the 2012 National Strategy on Human Rights Protection, he said that, in 2014, a related plan of action had been approved and a working group had been established to coordinate its implementation. Thematic plans had been approved in many fields.

9. The Commission on Constitutional Reforms of Armenia had been formed in 2013 and the Council on Women's Issues had been reorganized into a national mechanism for the implementation of the gender equality policy in 2014. The Law on ensuring equal rights for women and men had been adopted in 2013 and the development of the relevant policy for its monitoring and effective implementation was in process.

10. The Office of the Ombudsman in Armenia had been confirmed as having "A" status in 2013 and the Government had increased its budget every year, thus guaranteeing the operation of its Rapid Response Service and regional offices. Armenia had signed or ratified a number of international instruments during the review period, including the Convention on the Rights of Persons with Disabilities (CRPD), the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW). Ratification of the Rome Statute of the International Criminal Court (ICC) might be possible when the relevant issues had been addressed in the constitutional reform process.

11. The Armenian Ombudsman had been assigned the task of setting up the national preventive mechanism in compliance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT). Since 2012, civil society representatives had been also been involved in the Council for the Prevention of Torture, and collaboration with the police had resolved some specific issues. Amendments to the Criminal Code had been submitted for approval to bring national legislation criminalizing torture into conformity with article 1 of the Convention against Torture.

12. The Law on public service had been adopted in 2011. The quality of democracy was predicated on the scale of women's civic and political participation and their involvement in decision-making. Article 108.2 of the Electoral Code represented an improvement to gender balance requirements, in particular as it established quotas for women's participation, unlike previous legislation. A working group had been established, which had studied and offered a comprehensive action plan for the implementation of recommendations presented by the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe following the 2012 Parliamentary and 2013 Presidential elections.

13. Combating corruption was one of the priorities of the Government of Armenia. A number of relevant measures had been taken, including the establishment of the Anti-Corruption Strategy and action plan, and cooperation with the Organization for Economic Cooperation and Development and the Council of Europe Group of States against Corruption, which had concluded that Armenia had fulfilled the 19 recommendations contained in its 2014 report. State policy also included the active participation of civil society and individuals in anti-corruption programmes.

14. The number of children in detention had fallen steadily in recent years. Armenia currently had one of the lowest numbers of detained children in the region. A strategic programme for the protection of the rights of the child for 2013–2016 and a timetable for the related measures had been approved in December 2012. The measures included drawing up strategies to combat violence against children.

15. The Government of Armenia had paid particular attention to ensuring the freedom, independence and pluralism of the media throughout the legislative reforms that had been conducted since independence, cooperating with regional organizations in the field. The development of the Internet had become one of its strategic priorities, along with legislation aimed at protecting the interests of users of electronic communications services. According to international watchdogs, Armenia was a country with a free Internet. The Criminal Code had been amended in 2010 in order to decriminalize defamation.

16. The activities of Armenia to combat trafficking in persons included public awareness campaigns and a new law adopted in 2014. Governmental, non-governmental and international organizations comprised an inter-agency working group on the issue and Armenia was active in the relevant activities of the Council of Europe.

B. Interactive dialogue and responses by the State under review

17. During the interactive dialogue, 70 delegations made statements. Recommendations made during the dialogue can be found in section II of the present report.

18. Kyrgyzstan noted with satisfaction that Armenia had made considerable progress towards implementing its obligations made in the previous review. It mentioned the cooperation of Armenia with international organizations and commended it for a series of measures which the country had taken pertaining to the empowerment of women.

19. Latvia was pleased at the enactment of specific legislation on equality between men and women, including the National Programme Against Gender-based Violence, but remained concerned at reports of violence against women and attacks against journalists.

20. Lebanon acknowledged the efforts of Armenia in developing constitutional mechanisms to enhance the situation of human rights and fundamental freedoms, in combating human trafficking and in protecting national minorities and multiculturalism.

21. Lithuania welcomed the National Programme for the Protection of the Rights of the Child. It stated that, despite a relatively strong policy framework, gender inequality persisted. Lithuania noted that cases of violence against human rights defenders and journalists were still being reported.

22. Malaysia commended Armenia for its extensive efforts in promoting gender equality and in combating gender violence. It also recognized the achievements made in promoting the right to education and the employment of persons with disabilities.

23. Mauritania welcomed the adoption of the 2011 Law on Freedom of Assemblies and the 2013 Law on Equality of Opportunities for Women and Men, and of the National Strategy for the Protection of Human Rights in 2013. Mauritania also noted efforts regarding women, children's rights and education.

24. Mexico recognized the efforts of Armenia on migration, especially the signing of ICRMW, and the enactment of laws on equal opportunities between men and women, and on freedom of assembly.

25. Montenegro asked if Armenia had implemented a programme of education and awareness-raising on international human rights instruments and the country's related obligations, and expressed concern at legislation on discrimination.

26. Morocco welcomed the adoption of the National Strategy for the Protection of Human Rights and the ratification of ICPPED and CRPD.

27. Namibia commended the adoption of the National Strategy and Action Plan for the Protection of Human Rights, and of legislation on equal opportunities between women and men.
28. The Netherlands welcomed the cooperation of Armenia with the European Union on human rights issues, and progress in alternative military service. The Netherlands expressed concern at acts of violence against human rights defenders and hate speech by government officials and police officers against religious, ethnic and sexual minorities.
29. Norway welcomed the National Strategy and Action Plan for the Protection of Human Rights and underlined the need for broad participation from civil society in its implementation. It was concerned about reports of discrimination against vulnerable groups, including HIV-sufferers.
30. The Philippines recognized the efforts of Armenia to combat trafficking in persons and welcomed its electoral reform aimed at increasing women's representation in the legislature, as well as its ratification of international instruments. It was concerned about allegations that judicial independence remained weak.
31. Poland thanked Armenia for its participation in the UPR process and mentioned the importance it attached to the rights to freedom of opinion and expression, peaceful assembly and association. It acknowledged the efforts of Armenia in the legislative framework on the rights of the child.
32. Portugal welcomed the submission of a mid-term report in 2013, and the ratification of ICPPED and CRPD. Portugal encouraged Armenia to pursue efforts towards better protection of children's rights.
33. The Republic of Korea appreciated the ratification of ICPPED and CRPD, and efforts to improve legislation on freedom of assembly, political participation and alternative military service.
34. The Republic of Moldova welcomed the adoption of the National Strategy for the Protection of Human Rights and thematic strategies on children's rights, human trafficking and promoting human rights education. It also noted the adoption of a law on assistance to victims of trafficking or exploitation.
35. Romania noted the National Strategy and Action Plan for the Protection of Human Rights, the ratification of CRPD and the adoption of a law on equal opportunities for men and women. It appreciated the UPR mid-term report produced in 2013. Romania was also pleased about awareness-raising efforts in schools on women's rights.
36. The Russian Federation commended Armenia for its efforts in the implementation of the National Strategy and Action Plan for the Protection of Human Rights. It noted the measures taken to strengthen legislation for human rights protection, reform the judicial system and ensure equality for all.
37. Rwanda commended Armenia for the programmes put in place to combat gender-based violence, including the strategic programme 2011-2015. It also noted that Armenia had ranked third out of 191 countries in 2013 in anti-trafficking efforts.
38. Bosnia and Herzegovina welcomed the establishment of a national human rights institution with "A" status and the passing of and implementation of various laws on gender equality, the rights of persons with disabilities and the rights of national minorities. It asked Armenia for more information on its policies to address the issue of education of children with special needs.
39. Sierra Leone urged Armenia to enforce more effectively its laws on early marriage in the case of Yazidi girls. It also called on Armenia to refrain from prosecuting asylum

seekers for illegal entry and to ensure effective access to education by members of minorities, asylum seekers and refugees.

40. Regarding its recommendations during the first cycle, Slovenia enquired whether a national preventive mechanism under OP-CAT had been established. It also noted with concern the persistence of discriminatory practices against women and the lesbian, gay, bisexual and transgender (LGBT) population.

41. Spain praised the initiative to submit spontaneously a mid-term report in 2013 on the implementations of the recommendations of the first UPR cycle, but remained concerned at the persistence of gender violence and the high incidence of violence against minority groups.

42. Sweden stated that the adoption of the Human Rights Action Plan was positive, but the Plan failed to address in full certain areas, such as women's and children's rights. It added that systemic problems persisted in respect of the right to a fair trial.

43. Armenia responded to questions relating to the justice system. The draft criminal procedure code contained a separate chapter regulating juvenile justice. Recent changes to the legislation included ensuring that the participation of a representative for a minor would be mandatory from the moment of arrest. Further details were provided on the conditions of detention of juveniles and the applicable monitoring mechanisms, which involved both the Human Rights Defender and non-governmental organizations (NGOs).

44. The amendments to the Criminal Code of Armenia relating to torture ensured that all public officials who engaged in torture would be charged accordingly, with possible penalties of eight years' imprisonment and exclusion from public office or the practice of certain activities for up to three years. Armenia also mentioned the specialized Torture Investigation Department within the Special Investigation Service and an order from the Head of the Police on applying the standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

45. Armenia referred to the construction and future expansion in 2015 of the Armavir penitentiary in order to improve conditions and solve overcrowding in places of detention. In 2011, a government decision had established a timetable for the implementation of measures to improve medical services in penitentiaries.

46. Armenia had amended the Law on "Alternative Service" in 2013. The new provisions distinguished between "alternative military" and "alternative civilian" services, allowing those whose beliefs prevented them from carrying arms to undertake military service without doing so, or not to undertake military service at all. Measures had been taken to remedy the situation for conscientious objectors who had been prosecuted before the entry into force of that law.

47. Armenia noted that the draft criminal procedure code contained measures to define detention as an exceptional measure of restraint in addressing excessive periods of pretrial detention.

48. Armenia provided details of deaths recorded in the armed forces in 2013 and 2014 and stated that the recorded increase could be attributed to more ceasefire violations. However, there had been a reduction in the number of suicides. The Prosecutor General had been taking steps to inform the public about cases and investigations in that area and had organized discussions on the issue.

49. In relation to criminal investigations following demonstrations after the 2008 Presidential elections, Armenia agreed that, while the investigations might have seemed slow, that was not surprising, given the volume and scale of the cases and the situation. In

2014, the Prosecutor General had instructed that the case of each person who had died in the wake of the demonstrations should constitute a separate criminal case.

50. Armenia noted that decisions on extradition could not be made before completion of the procedure for granting refugee status.

51. Armenia noted that there had been many cases in which high-ranking officials had been convicted in the courts. It also noted that the acquittal rate had been increasing and, at 3.6 per cent in 2014, it was within the normal range for most States.

52. The delegation provided more details of the measures that had been taken by the police to prevent torture, including the installation of video cameras in many police stations. Police skills were being enhanced and no allegations of ill-treatment had been received in recent years in relation to custody staff in police detention facilities.

53. The police in Armenia had always worked in such a way as to allow people to enjoy their right to peaceful assembly while also ensuring public safety and protecting the rights and freedoms of others. In some cases, the use of force had been necessary, but it had been used in strict compliance with the law. Training had been organized for police officers in collaboration with international organizations on the application of legislation relating to freedom of assembly, and guidelines had been drawn up on the use of force. One of the main reforms in that regard had been the introduction of community policing.

54. Switzerland was concerned about violations of the human rights of human rights defenders, journalists and civil society representatives. It welcomed the adoption of the law on gender equality, in accordance with the recommendation it had made in 2010.

55. Tajikistan noted the achievements of the Government of Armenia in terms of human rights protection and welcomed the adoption of the National Strategy for the Protection of Human Rights. It further noted the efforts of Armenia to combat trafficking in human beings.

56. Thailand welcomed the new legislation adopted to combat human trafficking and on the employment of persons with disabilities. However, it expressed concern about domestic violence. It encouraged Armenia to invest more to improve its educational system.

57. Turkey was concerned about restrictions on freedom of expression on the issue of genocide and considered that the events of 1915 constituted a legitimate subject of debate. It clarified that the allegations of a blockade mentioned in the national report of Armenia were baseless.

58. The United Arab Emirates welcomed the recent measures taken to reform the Constitution, which had improved the constitutional human rights mechanisms. It asked Armenia to provide further information about Decree NH-207-N on constitutional reforms.

59. The United Kingdom of Great Britain and Northern Ireland welcomed the progress Armenia had made since the last review, and the road map provided by the Human Rights Strategy and Action Plan. It noted the concerns raised in a report of the Organization for Security and Co-operation in Europe (OSCE) on the 2013 Presidential elections.

60. The United States of America commended Armenia for the improvement in respecting freedom of expression manifested in the Human Rights Defender's 2013 report, but noted that more needed to be done. It was seriously concerned about systemic corruption and the absence of an independent judiciary.

61. Uruguay underlined the efforts of Armenia to guarantee equal opportunities and non-discrimination, including steps to increase women's representation in the legislative branch, and the adoption of the National Plan for the Protection of the Rights of the Child 2013–2016.

62. The Bolivarian Republic of Venezuela welcomed the ratification of ICPED and CRPD, and the launch of the National Strategy for the Protection of Human Rights in 2012 followed by the Plan of Action in 2014.
63. While appreciating the support given to the Human Rights Defender and the implementation of the National Strategy for the Protection of Human Rights, Albania encouraged Armenia to increase the resources allocated to all its mechanisms for the protection of human rights.
64. Algeria welcomed the adoption of the Human Rights Action Plan and the strengthening of the legal framework in the area of human rights. It encouraged Armenia to pursue the measures taken to promote the enjoyment of education and culture by national minorities.
65. Angola commended Armenia for the establishment of the 2012–2016 Strategic Programme for Legal and Judicial Reforms and welcomed the initiatives undertaken to ensure gender equality, including the drafting of the Gender Policy Strategic Programme and Action Plan.
66. Argentina welcomed the ratification of ICPED and CRPD and noted the progress made under the National Strategy and Action Plan for the Protection of Human Rights. However, it noted that discrimination against women and LGBT persons persisted.
67. Australia requested a written update on the implementation of the National Strategy for the Protection of Human Rights. It welcomed the progress in implementing the Convention against Torture and the adoption of the law on gender equality. However, Australia remained concerned about gender-based discrimination and the failure to protect lesbian, gay, bisexual, transgender and intersex (LGBTI) persons.
68. Austria remained concerned about the persistence of gender-based discrimination and discrimination against persons with disabilities and LGBT persons. It also expressed concern that effective enjoyment of the right to education was still not guaranteed for all children.
69. Azerbaijan rejected the references to “Nagorno-Karabakh” in the national report of Armenia, emphasizing that, according to General Assembly resolution 62/243, entitled “The situation in the occupied territories of Azerbaijan”, references to “Nagorno-Karabakh” should read as “the Nagorno-Karabakh region of the Republic of Azerbaijan”.
70. Armenia stated that the Government condemned all forms of discrimination, and the relevant national legislation included its criminalization. All the national programmes adopted by Armenia in the field of human rights were the basic components of the national anti-discrimination policy, the main goal of which was to ensure the effective implementation of relevant national legislation and the incorporation of relevant international obligations in national policies. Armenia had signed or ratified most of the United Nations and regional instruments relating to equality. It provided additional details of the plans and strategies relating to non-discrimination and highlighted relevant actions that had been taken, including the submission of its latest periodic report to the Committee on the Elimination of Discrimination against Women, and the inclusion of a plan for the adoption of a separate law on discrimination within the Plan of Action for the National Strategy for the Protection of Human Rights.
71. Referring to some specific groups, Armenia noted that there were no restrictions on access to public services for sexual minorities. Concerned by the fact that representatives of some women’s NGOs had been intimidated on social media, the Women’s Council, which was chaired by the Prime Minister, had advocated an end to such behaviour and urged the law enforcement bodies to be more vigilant in the prevention and punishment of such cases. A number of legal and institutional measures had been taken to strengthen the protection of

members of national minorities since the first UPR and the budget allocated to national minorities had been doubled since 2012.

72. Armenia listed some of the measures that had been taken for members of national minorities that lacked their own kin state, including the publishing and provision of free school textbooks in their languages. The incorporation of those minorities was seen as a cultural asset for Armenia. The preservation and development of the culture of national minorities was a priority and all historical and architectural monuments, cultural and religious buildings were under State protection, regardless of their ethnic or religious associations.

73. Armenia cooperated closely with the European Commission against Racism and Intolerance. The delegation provided details of the findings of the Commission's latest monitoring report.

74. A suitable legislative framework had been established to ensure the appropriate conditions for religious diversity. As of 2014, some 66 religious organizations were registered, of which 9 belonged to national minorities.

75. Managing migration was one of the priorities of the Government of Armenia. The 2014 action plan on migration included activities to harmonize national legislation with international standards. The 2014 amendments to the Criminal Code had made organizing illegal immigration a criminal offence. Under the new anti-trafficking law, victims of human trafficking could be granted a residence permit.

76. The asylum system was fully functional and over 16,000 refugees from Syria had arrived in recent years. A new draft law on asylum had recently been developed, with the support of the Office of the United Nations High Commissioner for Refugees, and submitted to the Government.

77. Belarus noted with satisfaction the legislative measures taken by Armenia since the first UPR. In particular, it noted legislation on gender equality. It welcomed the attention given to the most vulnerable groups in the National Strategy for the Protection of Human Rights.

78. While welcoming the ratification of ICPPED and CRPD, Belgium stated that there was still a lot to do in terms of human rights, including violence against women and children and abuses committed by police forces.

79. Benin welcomed the efforts of Armenia towards the implementation of the recommendations from the first UPR and its ratification of ICPPED and CRPD.

80. Serbia applauded Armenia for the adoption of the National Strategy and Action Plan for the Protection of Human Rights and considered that Armenia had taken decisive steps to combat domestic violence.

81. Brazil commended Armenia for implementing its first cycle recommendations. It was concerned about violence against women and urged Armenia to protect LGBTI persons. It underlined the importance of aligning the definition of torture with international standards, ensuring adequate resources for its national prevention mechanism, and promoting awareness-raising on HIV/AIDS.

82. Bulgaria appreciated the approval of the Strategic Programme for Legal and Judicial Reforms and the National Strategy and Action Plan for the Protection of Human Rights, and welcomed policies and programmes on gender, gender-based violence and children. It encouraged Armenia to identify children in vulnerable situations.

83. Canada enquired about the measures undertaken to implement its recommendations from 2010 on freedom of opinion and expression and investigative journalism. It welcomed

the steps taken to address racism and xenophobia and called on Armenia to investigate the recent attacks on political activists in Yerevan and bring the perpetrators to justice.

84. The Central African Republic noted the efforts of Armenia to follow up recommendations from the first cycle. It noted significant progress in the protection of persons with disabilities, freedom of assembly and equal opportunities for men and women.

85. Chad was pleased that Armenia had presented a mid-term report. It noted that Armenia had a legislative and regulative framework in place to guarantee freedom of assembly, judicial reforms, gender equality and equal opportunities for persons with disabilities.

86. Chile thanked Armenia for its national report and welcomed the progress made in fighting corruption and human trafficking. It urged Armenia to make greater efforts to promote compliance with international human rights instruments.

87. Costa Rica noted that Armenia had ratified human rights treaties and welcomed the establishment of the Human Rights Ombudsman's Office, the Strategic Programme for Judicial Reforms and the efforts made towards gender equality. It was concerned by allegations of restrictions on the freedom of expression, association and peaceful assembly.

88. Cuba noted the measures taken to increase gender equality and improve the protection of the rights of persons with disabilities. It also noted progress in the protection of the rights of the child, in education and in health.

89. Cyprus commended Armenia for the measures it had taken to promote women's and children's rights, and the initiatives taken to raise awareness regarding the prevention and punishment of the crime of genocide.

90. The Czech Republic welcomed the delegation of Armenia. It appreciated the information provided on the implementation of previous UPR recommendations.

91. Djibouti applauded the progress made in the field of economic and social rights. It appreciated the efforts made to promote and protect the rights of women by setting quotas to increase their representation within the legislature.

92. Egypt commended the establishment of a National Commission on constitutional reforms, the National Strategy and Action Plan on the Protection of Human Rights, the strengthening of the judiciary and the enhanced representation of women in parliament. It welcomed the ratification of CRPD and the signature of ICRMW.

93. Armenia referred to reforms aimed at regulating and providing stable employment, particularly for those who lacked competitive skills. A five-year strategy had been approved by the Government in 2013 and a new Law on Employment had entered into force in 2014. The new law included quotas for the employment in larger organizations of persons with disabilities, which would apply progressively from 2015. The minimum wage had been increased and would be raised further in 2015. Programmes had been created to support small businesses and women at risk of unemployment.

94. Armenia noted the submission to the National Assembly of the draft law on the rights and social inclusion of persons with disabilities. Armenia had ratified CRPD; consideration could be given to accession to the Optional Protocol thereto after reforms had been implemented.

95. Violence was punishable in law regardless of the sex of the victim; that applied to domestic violence. The draft law on domestic violence had not been enacted because major reforms were being carried out in the legal system and legislation on domestic violence would be enacted on the basis of those reforms. However, the definition of domestic

violence and provisions for support to victims had been incorporated in the Law on Social Support adopted in December 2014.

96. Armenia detailed reforms to child protection, including early prevention measures, which had been developed with the support of the United Nations Children's Fund. Mechanisms to improve adoption procedures were being prepared. Since 2010, the Government had adopted programmes for the creation of social housing for disadvantaged people, including young people who had previously lived in children's homes.

97. Turning to health issues, Armenia outlined reforms aimed at increasing access to, and increasing the quality of, health services, with an emphasis on prevention and early detection of diseases. Maternal and child health were on target to meet the relevant Millennium Development Goals. Steps had been taken to reduce the risks of corruption and do away with informal payments, including by raising public awareness of the right to free health care and dismissing staff who had demanded such payments. Work had been undertaken to address intolerance towards HIV/AIDS sufferers, including in schools.

98. Armenia disagreed with assertions that women were discriminated against in terms of access to health care: more than 30 per cent of the health budget was allocated to programmes supporting mothers and children. Armenia was one of the few countries where 15-year-old girls received a comprehensive assessment of their development and reproductive health.

99. Armenia detailed the measures the Government had taken to ensure equal access to education, especially for vulnerable groups. In 2014, the National Assembly had adopted the new Law on General Education, under which there would be a move to completely inclusive education by 2022. Inclusive education had been incorporated in 10 per cent of schools. In higher education, the Government would continue to improve access for young people from vulnerable groups. In 2014, the categories of persons eligible to receive stipends had been extended.

100. Armenia provided details of the licences issued for digital television broadcasting. Monitoring of the general elections in 2012 and municipal elections in 2013 had shown that opposition parties had received most air-time in practically all transmissions. In relation to the case of A1+ Television, Armenia had fulfilled all of the demands of the European Court of Human Rights and A1+ had returned to broadcast in 2012 in a new form.

101. Equatorial Guinea commended Armenia for its voluntary commitments. It welcomed strategies and plans of action to protect and enhance human rights, and mentioned the measures taken for persons with disabilities and to preserve and protect the popular traditions of minorities.

102. Estonia welcomed the ratification of CRPD and commended the adoption of the National Strategy and Action Plan for the Protection of Human Rights. It invited Armenia to pay attention to violence against women. It highlighted its development cooperation with Armenia.

103. Finland commended Armenia for increasing the budget of the Human Rights Defender and was pleased to note that the increased budget had resulted in the continued operation of its rapid response service and some of its local offices.

104. France welcomed the progress made since the first cycle. It welcomed the adoption of a comprehensive programme for judicial reform for the period 2012–2016 and enquired about the status of the programme.

105. Germany commended Armenia for its progress in some areas, particularly trafficking in persons. It noted that the administration of the 2012 Parliamentary and 2013

Presidential elections had, on the whole, been better than in previous elections, although a number of irregularities had still been observed.

106. Greece highlighted progress in different areas, in particular in the promotion of gender equality, the fight against human trafficking and the protection of children.

107. Indonesia welcomed the development of the National Strategy and Action Plan for the Protection of Human Rights and the decision to sign ICRMW.

108. The Islamic Republic of Iran was convinced that the efforts made to address the scourges of human trafficking and domestic violence would result in better protection of the rights of women and children. It also commended Armenia for the special attention paid to the improvement of children's rights.

109. Ireland was pleased that a number of special procedures mandate holders had been invited to Armenia and that the national human rights institution had retained its "A" status. It noted that concerns had been expressed at the hindrances to the exercise of the right to freedom of assembly and expression.

110. Italy welcomed the ratification of numerous human rights instruments and the measures taken to promote women's rights and gender equality. It encouraged Armenia to ensure that civil society organizations were consulted effectively on reform proposals that might affect their activities.

111. Kazakhstan welcomed the ratification of ICPED and CRPD and noted with satisfaction the progress achieved in the fight against human trafficking and measures taken towards better gender equality.

112. Noting the efforts undertaken in the fields of education and the fight against human trafficking, Kuwait called on Armenia to continue its efforts in those areas. It also welcomed the ratification of ICPED and CRPD.

113. China appreciated the efforts of Armenia to combat violence against women and human trafficking, to protect the rights of people with disabilities, to develop education and culture for minorities, to ensure children's welfare and to realize the right to education for children with special needs.

114. In his closing remarks, the Head of the Delegation of Armenia highlighted the country's priority in protecting the rights of racial, religious, ethnic and national minorities. Most essential was the right to life of those groups, as protected in the Convention on the Prevention and Punishment of the Crime of Genocide. Resolute, timely acknowledgement, absolute rejection and condemnation, assessment and monitoring could prevent genocide. Therefore the issue of the prevention of genocide had specific importance for Armenia. Armenia had initiated resolutions related to the Convention for the Prevention and Punishment of the Crime of Genocide. The most recent, resolution 22/22, had been adopted by consensus at the twenty-second session of the Human Rights Council.

115. Armenia considered that the duty of memory and remembrance empowered by the realization of the right to the truth was an important dimension of genocide prevention. Armenia underlined that denying, trivializing, condoning or justifying past genocides infringed upon the human rights of victims of genocide. He regretted the fact that the Turkish delegation had used the opportunity for dialogue with Armenia to reaffirm its policy of denial.

116. Armenia disagreed with the approach of establishing equivalence between the victim and the perpetrator and called upon Turkey to face its own history, thus relieving the next generations of the heavy burden of the past.

117. Armenia valued the protection and promotion of political, social and cultural rights. Armenia outlined the value it attached to the United Nations human rights instruments and the empowerment of people with the right to self-determination. The violent suppression of that right had been the cause of many conflicts and its realization was essential for conflict resolution. Armenia has been supporting the right of peoples to self-determination, particularly in cases in which peoples' physical survival was at stake. It would continue that support, including in the framework of negotiations under the auspices of the Co-Chairs of the OSCE¹¹ Minsk Group, recalling that all OSCE members had accepted that the right of peoples to self-determination should be among the key principles of conflict resolution in the OSCE 2009 Ministerial Council statement.

118. Armenia had always believed that the UPR could strengthen cooperation and avoid confrontations. While it was true that, to a certain extent, conflicts could impede the realization of certain human rights, it was also true that improvements to human rights protection could contribute to conflict resolution. Armenia had never tried to justify setbacks by invoking conflict situations. It recalled that it had accepted a large number of recommendations at the first UPR from one particular neighbouring State, but that goodwill had not been appreciated and at the second UPR, the same State had rejected its recommendations. Armenia reminded the meeting that the national report was its own and it naturally expressed the Government's official position on each issue, including on historic issues and geographical names.

119. Armenia demonstrated its readiness to engage in human rights cooperation with all countries, highly valuing the UPR. Armenia thanked the Member States for their encouragement, constructive and useful dialogue and recommendations. Armenia would incorporate the outcome of the review into the systematic protection of human rights in the country.

II. Conclusions and/or recommendations**

120. The following recommendations will be examined by Armenia, which will provide responses in due time, but no later than the 29th session of the Human Rights Council in June 2015:

120.1. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), aiming at the abolition of the death penalty (Costa Rica) (Turkey);

120.2. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);

120.3. Accede to Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty (Estonia);

120.4. Ratify the Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty, and adopt all the required internal legislative measures to proceed as soon as possible with the ratification of the Rome Statute of the ICC (Italy);

120.5. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and accept its mechanisms of inquiry and communications (Uruguay);

** The conclusions and recommendations have not been edited

- 120.6. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, as well as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);
- 120.7. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) (Kyrgyzstan);
- 120.8. Speed up the process underway to ratify the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families (Rwanda);
- 120.9. Step up its efforts to ratify ICRMW (Philippines);
- 120.10. Continue the procedure of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Central African Republic);
- 120.11. Continue and speed up the process of ratification of ICRMW (Indonesia);
- 120.12. Consider expediting the process of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their families (Egypt);
- 120.13. Ratify ICRMW and accede to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Sierra Leone);
- 120.14. Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP-CRPD) (Benin);
- 120.15. Consider expediting the ratification of OP-CRPD and the Rome Statute of the ICC (Republic of Korea);
- 120.16. Accede to and fully align its national legislation with the Rome Statute of the International Criminal Court (ICC), including by incorporating provisions to cooperate promptly and fully with the ICC (Montenegro);
- 120.17. Ratify the Rome Statute of the International Criminal Court, signed in 1999, and apply it in the national legislation (Uruguay);
- 120.18. Take action with a view to bringing to an end the ratification procedures for the Rome Statute of the ICC (Romania);
- 120.19. Ratify the Rome Statute of the International Criminal Court (Poland) (Slovenia) (Austria) (Benin) (Costa Rica);
- 120.20. Ratify the Statute of the International Criminal Court (Chile);
- 120.21. Ratify and fully align its national legislation with all the obligations under the Rome Statute of the International Criminal Court (Latvia);
- 120.22. Ratify and fully align its national legislation with the Rome Statute of the International Criminal Court (Bulgaria) (Estonia);
- 120.23. Consider ratifying International Labour Organization Convention No. 189 (Philippines);
- 120.24. Strengthen legislation on violence against women and domestic violence by adopting the draft law on the subject and by acceding to the Istanbul Convention (Turkey);

- 120.25. Accede rapidly to the Istanbul Convention and adopt and implement as soon as possible a national strategy to prevent and punish all forms of violence against children, including child trafficking (Belgium);
- 120.26. Take appropriate action to prosecute cases of domestic violence and ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Italy);
- 120.27. Pay particular attention to the process of judicial and legal reform by strengthening the legal framework (Tajikistan);
- 120.28. Continue to strengthen national human rights institutions, including the independence of the judiciary (Costa Rica);
- 120.29. Allocate adequate financial resources for the Human Rights Defender and ensure the continuity of work of the regional offices (Estonia);
- 120.30. Continue strengthening the mandate of the Human Rights Defender's office and extend its work to regions not yet covered by the institution as well as fully and without delay implementing the recommendations put forward by the Human Rights Defender (Finland);
- 120.31. Actively include civil society in the implementation of the Human Rights Strategy Action Plan 2014–2016 and create a formalized dialogue with civil society to this effect, in order to provide for better monitoring of the implementation of the Action Plan (Sweden);
- 120.32. Provide all appropriate human and material resources to implement the National Action Plan that the Armenian Government adopted in February 2014 in order to achieve the rights of the vulnerable groups in the specified areas in the mentioned plan (United Arab Emirates);
- 120.33. Take all measures in further implementing its National Human Rights Action Plan, in particular by allocating sufficient funding from the national budget (Indonesia);
- 120.34. Enhance the protection of the rights of the child (Lebanon);
- 120.35. Promote comprehensively the increased protection of the rights of the child (Tajikistan);
- 120.36. Ensure better protection of the rights of the child (Greece);
- 120.37. Continue its endeavour to promote and protect the rights of the child (Islamic Republic of Iran);
- 120.38. Encourage better protection of children's rights (Kazakhstan);
- 120.39. Provide the National Programme for the Protection of the Rights of the Child for 2013–2016 with the necessary resourcing and strengthen its implementation, especially in respect of children in closed or partially-closed institutions (Lithuania);
- 120.40. Continue the realization of the right to education and the right to health for children in light of the Government's adoption of the Strategic Programme for the Protection of the Rights of the Child (2013–2016) (Russian Federation);
- 120.41. Allocate the resources necessary for the realization of the national strategies and plans for the protection of the rights of the child, including for

the full identification and monitoring of children in situations of vulnerability and the protection of their interests (Belarus);

120.42. Continue to promote and protect the rights of children while developing special programmes targeting vulnerable children (Djibouti);

120.43. Elaborate additional measures to increase awareness of human rights culture (Lebanon);

120.44. Build a true dialogue with civil society and engage NGOs in the decision-making process at all levels (Estonia);

120.45. Submit all overdue reports to the relevant treaty bodies (Sierra Leone);

120.46. Invite the Special Rapporteur on the independence of judges and lawyers to perform an official country visit (Germany);

120.47. Pursue actions to fight all forms of discrimination (Morocco);

120.48. Ensure respect for the principle of non-discrimination and adopt comprehensive anti-discrimination legislation (Netherlands);

120.49. Renew its efforts and adopt and fully implement a comprehensive anti-discrimination law (Czech Republic);

120.50. Adopt stand-alone legislation to combat discrimination (Norway);

120.51. Adopt comprehensive legislation to fight all forms of discrimination, in particular against women (Italy);

120.52. Adopt and effectively implement legislation to ensure equal treatment of persons with disabilities in accordance with CRPD, as well as prohibit discrimination based on sexual orientation and gender identity and provide effective protection to LGBT persons (Austria);

120.53. Improve the efficiency of the implementation of the Gender Equality Act, to pay special attention to domestic violence against women and adopt the necessary legislation in order to prevent violence and protect victims (Lithuania);

120.54. Enact independent legislation focused specifically on combating discrimination, in particular for gender (Mexico);

120.55. Adopt comprehensive legislation to counter discrimination and take steps to ensure that equality enshrined in such legislation or in existing law is achieved in practice (Ireland);

120.56. Introduce comprehensive legislation on discrimination and equality of men and women (Poland);

120.57. Continue to ensure that adequate human and financial resources are allocated to implement laws and policies that address inequality between men and women (Philippines);

120.58. Continue efforts for the strengthening of equality between men and women, combating trafficking in human beings and the protection of the rights of national minorities (Russian Federation);

120.59. Step up the application of the existing legislation on gender equality (Spain);

- 120.60. Invest more resources in the implementation of law on gender equality and for gender equality in the labour market (Switzerland);
- 120.61. Strengthen measures to reduce gender inequality (Algeria);
- 120.62. Further strengthen efforts towards a better promotion of gender equality (Kazakhstan);
- 120.63. Employ legislative mechanisms to secure gender equality and the legal protection of women from discrimination (Tajikistan);
- 120.64. Elaborate a gender-sensitive approach in the programmes and policies which address human rights discrimination and take the necessary actions to raise awareness on attitudes and stereotypes targeting women and sexual minorities in society (Albania);
- 120.65. Continue its efforts to achieve gender equality (Cuba);
- 120.66. Double its efforts in addressing the persistent gender discrimination (Rwanda);
- 120.67. Strengthen efforts towards promotion of gender equality (Greece);
- 120.68. Strengthen the implementation of measures aimed at promoting and safeguarding gender equality (Cyprus);
- 120.69. Further increase efforts, including through legislative measures, to end discrimination against women (Austria);
- 120.70. Implement tangible measures against discrimination of women, including the adoption of legislation to promote gender balance and steps to strengthen the position of the Ombudsman office on gender equality (Germany);
- 120.71. Consider developing, in the context of the promotion of gender equality, human rights indicators, as suggested by OHCHR as an instrument that allows for a more precise and coherent evaluation of national human rights policies (Portugal);
- 120.72. Develop and adopt suitable legislative and administrative measures to combat discrimination against women, and discrimination and violence against LGBTI persons (Argentina);
- 120.73. Promote the rights of women and effectively combat all forms of violence against women and against prenatal selection (France);
- 120.74. Attach importance to employment for women in the process of gender equality promotion (China);
- 120.75. Continue its efforts aimed at enhancing gender equality and improving the means to protect the rights of national minorities (Kuwait);
- 120.76. Adopt a National Action Plan on Security Council resolution 1325 on women, peace and security (Portugal);
- 120.77. Further strengthen its efforts in the areas of equality between women and men, eradicating violence against women, and promoting rights of the child (Egypt);
- 120.78. Take suitable action to address discriminatory practices in the engagement with national minorities and, in particular, the double discrimination faced by women from such minority groups (Namibia);

- 120.79. Prosecute and monitor cases of incitement to racial discrimination and racist propaganda (Sierra Leone);
- 120.80. Provide effective protection of LGBT persons from discrimination (Slovenia);
- 120.81. Combat all forms of discrimination, including those relating to sexual orientation and identity (France);
- 120.82. Enact specific legislation that prohibits discrimination against persons based on sexual orientation (Canada);
- 120.83. Adopt effective measures to ensure the eradication of all forms of discrimination based on sexual orientation and gender identity (Chile);
- 120.84. Combat hate propaganda and incitement against minority groups, especially LGBTI persons, religious minorities, AIDS patients and persons with disabilities through the adoption of a comprehensive package of laws and effective mechanisms to combat discrimination, including in the public administration (Spain);
- 120.85. Take appropriate measures to guarantee that lesbians, gays, bisexuals, transgender and intersex persons are not subjected to discrimination, both in law and in practice (Uruguay);
- 120.86. Ensure appropriate training is provided to officials, and that law enforcement authorities carry out thorough and prompt investigations regarding attacks on LGBTI persons (Australia);
- 120.87. Continue concerted efforts at the international level for the prevention of genocide (Cyprus);
- 120.88. Continue concerted efforts at the international level for the prevention of the crime of genocide (Greece);
- 120.89. Continue to improve its comprehensive framework by introducing the definition of "torture" in compliance with article 1 of the Convention against Torture (Serbia);
- 120.90. Ensure that the definition of torture in national law is fully in line with the Convention against Torture (Germany);
- 120.91. Provide criminal liability for torture in line with article 1 of the Convention against Torture (Turkey);
- 120.92. Encourage the National Assembly to pass legislation that would enable Armenia to more fully comply with its international human rights obligations, including expanding the definition of torture in its domestic law to include crimes committed by public officials in their official capacities, and criminalizing domestic violence (United States of America);
- 120.93. Amend Armenia's Criminal Code to ensure it is consistent with the definition in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, particularly the inclusion of acts committed by public officials (Australia);
- 120.94. Establish a system for the management of complaints of torture and ill-treatment by police and security forces to ensure that such acts, committed against civilians or prisoners, are effectively investigated and sanctioned (Belgium);

- 120.95. Take steps to ensure that allegations of ill-treatment of persons detained by the security and police forces are fully investigated and that perpetrators are held accountable (Canada);
- 120.96. Combat torture and other inhuman or degrading treatment and ensure that these acts do not go unpunished (France);
- 120.97. Take measures to ensure that the national mechanism for the prevention of torture and other cruel, inhuman and degrading treatment is provided with sufficient resources to operate effectively (Mexico);
- 120.98. Effectively implement legal amendments in order to guarantee the rights of persons deprived of liberty, particularly in places of detention (Albania);
- 120.99. Continue the national strategy for combating violence against women (Angola);
- 120.100. Take the legal steps necessary to protect women against domestic violence (Switzerland);
- 120.101. Intensify efforts to address violence against women, in particular domestic violence (Latvia);
- 120.102. Implement comprehensive legislation to effectively combat the widespread cases of violence against women and offer further protection to victims of domestic violence (Sierra Leone);
- 120.103. Adopt legislation to prohibit and combat domestic violence (Brazil);
- 120.104. Continue efforts to combat domestic violence, also by the adoption of a distinct law on this topic (Romania);
- 120.105. Adopt stand-alone legislation on domestic violence and set up a specialized referral system for victims of domestic abuse, wherein violence will be qualified as a criminal and civil offence subject to prosecution and punishment (United Kingdom of Great Britain and Northern Ireland);
- 120.106. Adopt a stand-alone law to combat domestic violence, so that violence against women will be qualified as a criminal and civil offence subject to prosecution (Norway);
- 120.107. Adopt comprehensive legislation to combat domestic and gender-based violence (Slovenia);
- 120.108. Take up the processing and approval of the draft law on gender violence, with a view to providing victims with mechanisms for protection and effective reparation (Spain);
- 120.109. Adopt without delay national legislation on domestic violence and create public institutions that offer assistance and protection for victims of domestic violence (Germany);
- 120.110. Take concrete measures to combat violence against women and children as well as expedite the adoption of the draft law on domestic violence that would allow victims to file complaints and seek protection (Thailand);
- 120.111. Strengthen protection of women's rights, particularly by adopting legal measures to prohibit gender-based and domestic violence against women and girls (Albania);

- 120.112. Develop a stand-alone law on domestic violence, where gender-based violence will be qualified as a criminal offence subject to prosecution (Serbia);
- 120.113. Enhance the fight against domestic and gender-based violence, strengthen protection mechanisms for victims of domestic violence and adopt a comprehensive domestic violence law putting in place effective prevention and protection mechanisms (Czech Republic);
- 120.114. Put forward extensive efforts to eliminate all forms of discrimination against women, including enforcement of the age of marriage set out in law as well as the development of comprehensive awareness-raising programmes on the negative implications of early marriage (Republic of Korea);
- 120.115. Take further steps to eliminate violence against women, including through accession to relevant international instruments, the robust domestic implementation of laws, and providing gender-sensitive training to security and law enforcement agencies (Australia);
- 120.116. Develop a national strategy to prevent and address all forms of violence against children (Turkey);
- 120.117. Reform national law in order to prohibit corporal punishment in all settings and to develop an enforcement mechanism and sanctions against corporal punishment of children (Poland);
- 120.118. Amend the Criminal Code in order to criminalize the recruitment of children under the age of 18 years into armed forces and establish a mechanism to provide former child soldiers with the necessary assistance for their reintegration in society (Albania);
- 120.119. Continue the fight against human trafficking (Greece);
- 120.120. Continue effective efforts to combat trafficking in human beings (Lebanon);
- 120.121. Increase its efforts to combat human trafficking and protect victims of trafficking, especially women and children (Islamic Republic of Iran);
- 120.122. Proceed in its effective efforts to combat trafficking in persons, especially women and children (Egypt);
- 120.123. Intensify efforts aiming at the comprehensive and effective implementation of national plans and strategies to fight trafficking of human beings (Morocco);
- 120.124. Continue to enhance its positive policies and programmes for trafficked victims and refugees (Philippines);
- 120.125. Ensure the provision of assistance and the accessibility of legal aid to all victims of trafficking, in line with regional and international human rights standards (Republic of Moldova);
- 120.126. Strengthen institutional integrity and accountability by fostering an independent judiciary and democratic electoral processes by working closely with the Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights and local stakeholders (United States of America);
- 120.127. Further strengthen the independence of the judiciary from the executive (Lithuania);

- 120.128. Address corruption and further strengthen the independence of judges in order to improve public confidence in the judicial system (Netherlands);
- 120.129. Amend domestic legislation with a view to guaranteeing the independence of the judicial power and consider the establishment of an independent body for the appointment of judges (Mexico);
- 120.130. Take measures to ensure the independence of the judiciary and consider establishing an independent body responsible for the appointment and promotion of judges (Namibia);
- 120.131. Revoke the President's authority to appoint and dismiss judges (Germany);
- 120.132. Strengthen the independence of the judiciary by separating it from the executive powers, adopt a Criminal Procedure Code in compliance with international standards and address prison overcrowding and the overuse of pretrial detention (Czech Republic);
- 120.133. Enhance the independence of the justice system, particularly with the establishment of an appropriate system of training, nomination, promotion and sanctions against judges (France);
- 120.134. Work closely with the Council of Europe on judicial reform and support a system of court monitoring based on civil society participation (Sweden);
- 120.135. When human rights violations occur, hold security forces and other government officials accountable and provide appropriate remedies for victims of abuses and discrimination, including against members of vulnerable populations (United States of America);
- 120.136. Enhance efforts to protect the rights of the child and establish a system of juvenile justice in compliance with international standards (Italy);
- 120.137. Fully support the institution of the family (Russian Federation);
- 120.138. Continue providing effective protection for the family unit, as the natural and fundamental unit of the society (Egypt);
- 120.139. Guarantee the protection of the right to freedom of expression offline and online (Estonia);
- 120.140. Conduct impartial and transparent investigations of cases where freedom of expression has been restricted (Turkey);
- 120.141. Take further steps to ensure that the alleged cases of violence against journalists are thoroughly investigated (Latvia);
- 120.142. Respect and guarantee the right to freedom of expression, association and peaceful assembly of journalists, civil society activists, human rights defenders and demonstrators, as well as speedily and effectively investigating threats against them and ensuring that perpetrators are tried (Uruguay);
- 120.143. Take the necessary measures in order to stop human rights abuses against journalists and human rights defenders; conduct impartial, effective and thorough investigations; publish the results of these investigations and ensure that such violations do not remain unpunished (Switzerland);

120.144. Respect and protect the rights of human rights defenders and journalist to undertake their legitimate work without fear of criminal prosecutions or other pressure (Bulgaria);

120.145. Take steps to strengthen the rule of law and independence of the judiciary by promptly and thoroughly investigating all threats and incidents of violence against government opposition members and their supporters (Canada);

120.146. Strengthen respect for and protection of the right of journalists and human rights defenders to exercise their activities without harassment (Chile);

120.147. Fully and thoroughly investigate and prosecute incidents and violence against human rights defenders, in particular journalists (Estonia);

120.148. Respect and protect the right of human rights defenders and journalists to undertake their legitimate work without the fear of harassment, intimidation or reprisals (Finland);

120.149. Improve the investigation of cases of violence against human rights defenders and journalists and publicly acknowledge the importance of human rights defenders in achieving a pluralistic and democratic society (Lithuania);

120.150. Conduct thorough and effective investigations into attacks on journalists and human rights defenders, in order to enable full enjoyment of the rights, as provided for under ICCPR and under the Constitution (Poland);

120.151. Ensure that the right to hold peaceful, open and public demonstrations is freely available to all individuals without undue restrictions (Ireland);

120.152. Review the latest proposed or adopted amendments regarding the NGO and media laws and the 2010 amendments to the Civil and Penal Codes in order to ensure that Armenian legislation is in line with the best practices and international standards in the area of freedom of expression and association (Belgium);

120.153. Ensure full implementation of all election monitoring report recommendations of the Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (United Kingdom of Great Britain and Northern Ireland);

120.154. Implement the recommendations of the Organization for Security and Co-operation in Europe regarding the reform of the electoral law (France);

120.155. Take concrete measures for the improvement of the electoral process, including enhancing the transparency of voters' lists and preventing election violence and intimidation and creating an environment for free election campaigning (Czech Republic);

120.156. Make concrete efforts to increase the representation of women in public decision-making processes (Norway);

120.157. Strengthen administrative measures to ensure the participation of a large number of women in political life (Angola);

120.158. Continue work aimed at increasing the participation of women in the political life of the country (Belarus);

120.159. Adopt specific legislation to ensure equal opportunities for women in the labour market (Slovenia);

- 120.160. Follow up and reinforce actions aimed at improving the living conditions of the population and the situation of migrants (Mauritania);
- 120.161. Continue strengthening the Plan of Action of 2014 with a view to ensuring the full enjoyment of the right to health, work and adequate standard of living (Bolivarian Republic of Venezuela);
- 120.162. Step up efforts to guarantee access to medical care for the rural population (Equatorial Guinea);
- 120.163. Develop a programme on food security with a view to the realization of the universal human right to food (Brazil);
- 120.164. Continue to implement the International Health Regulations and maintain its commitment to guarantee access for the rural population to medical care and services (Cuba);
- 120.165. Continue to strengthen the construction of the health care system and ensure timely access to health services for the rural population (China);
- 120.166. Take measures to ensure access to education, including higher education, for children from national minorities and other vulnerable groups such as refugees and asylum seekers (Austria);
- 120.167. Continue to study in depth the steps for the adoption of the legal framework necessary for the application of the Convention on the Rights of Persons with Disabilities (Bolivarian Republic of Venezuela);
- 120.168. Take measures to expand access for persons with disabilities, in particular, with regard to transportation and physical access to educational institutions (Republic of Korea);
- 120.169. Continue its efforts in promoting the rights of persons with disabilities by, inter alia, effectively implementing its law on employment, adopting the law on protection of the rights of persons with disabilities and their social inclusion in line with the Convention on the Rights of Persons with Disabilities, and ensuring inclusive education for children with special needs (Thailand);
- 120.170. Continue its positive measures in further promoting and protecting the rights of persons with disabilities, including by ensuring effective implementation of its Law on Employment as well as providing the necessary vocational training to them (Malaysia);
- 120.171. Take appropriate legal and administrative measures to ensure equal opportunities to access decent work for people with disabilities (Argentina);
- 120.172. Continue to strengthen and promote the rights of national minorities (Lebanon);
- 120.173. Continue to strengthen and protect the rights of minorities (Djibouti);
- 120.174. Continue reinforcing advanced programmes in the field of education, culture and social assistance in favour of national minorities and other vulnerable sectors of the population in the fight against poverty and social inequality (Bolivarian Republic of Venezuela);
- 120.175. Further improve conditions for the protection of the rights of national minorities (Cyprus);

- 120.176. Further improve conditions for the protection of the rights of national minorities (Kazakhstan);
- 120.177. Take further steps for the protection of national minorities (Greece);
- 120.178. Continue initiatives undertaken to promote education and culture of national minorities (Equatorial Guinea);
- 120.179. Strengthen training programmes for State officials in the field of minority rights (Algeria).
121. The recommendations below did not enjoy the support of Armenia and would thus be noted:
- 121.1. Adopt comprehensive legislation on discrimination (Azerbaijan);
- 121.2. Closely monitor legal practice in relation to incitement to racial discrimination and prosecute perpetrators (Azerbaijan);
- 121.3. Prevent the use of torture and ill-treatment on suspects in police custody and prosecute those responsible (Azerbaijan);
- 121.4. Investigate cases of violence against children in closed institutions and prosecute perpetrators (Azerbaijan);
- 121.5. Establish mechanisms to identify children among asylum seekers and refugees involved in armed conflicts (Azerbaijan);
- 121.6. Criminalize the recruitment of children under the age of 18 years into armed forces (Azerbaijan);
- 121.7. Ensure accountability within government structures (Azerbaijan);
- 121.8. Eradicate all limitations and restrictions on freedom of religion, including the revision of the school curriculum to reflect the freedom of religion of all children (Azerbaijan);
- 121.9. Ensure the protection of the rights of national minorities (Azerbaijan);
- 121.10. Ensure the full protection of the right to freedom of opinion and expression, to peaceful assembly and to freedom of association (Azerbaijan).
122. Armenia did not support the recommendations in paragraph 121 because it considers that the country that has submitted them: (a) has repeatedly rejected any cooperation with Armenia within the framework of the UPR, in particular as set out in Human Rights Council resolution 5/1, and (b) is conducting apparent propaganda of war and hatred against the Armenians at the level of highest authorities of the country, involving all segments of the population.
123. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

[English only]

Composition of the delegation

The delegation of Armenia was headed by Mr. Ashot Hovakimian, Deputy Minister of Foreign Affairs and composed of the following members:

- Mr. Suren Krmoyan, Deputy Minister of Justice;
 - Ms. Jemma Baghdassaryan, Deputy Minister of Labour and Social Issues;
 - Ms. Hasmik Tolmajian, Deputy Permanent Representative of the Republic of Armenia to the United Nations Office at Geneva;
 - Mr. Emil Babayan, Deputy Prosecutor General;
 - Mr. Gagik Yeganyan, Head of the State Migration Service, Ministry of Territorial Administration and Emergency Situations;
 - Mr. Vahram Kazhoyan, Director of International Organizations Department, Ministry of Foreign Affairs;
 - Ms. Karine Saribekyan, Head of Mother and Child Health Care Department, Ministry of Health;
 - Mr. Robert Stepanyan, Head of Department on Development Programmes and Monitoring of the Ministry of Education;
 - Ms. Nelli Manandyan, Deputy Head of Legal Department, Police of the Republic of Armenia;
 - Mr. Armen Mkrtchyan, Member of National Commission on Television and Radio;
 - Ms. Karine Soudjian, Head of Human Rights and Humanitarian Issues Division, Ministry of Foreign Affairs;
 - Mr. George Kocharian, Counsellor, Permanent Mission of the Republic of Armenia to the United Nations Office at Geneva;
 - Mr. Artur Grigoryan, Second Secretary, Permanent Mission of the Republic of Armenia to the United Nations Office at Geneva;
 - Ms. Lilia Petrosyan, Legal Advisor, Permanent Mission of the Republic of Armenia to the United Nations Office at Geneva.
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